

# UNITED STATES STATUTES AT LARGE

CONTAINING THE

LAWS AND CONCURRENT RESOLUTIONS  
ENACTED DURING THE FIRST SESSION OF THE  
EIGHTIETH CONGRESS  
OF THE UNITED STATES OF AMERICA

1947

AND

PROCLAMATIONS, TREATIES, INTERNATIONAL  
AGREEMENTS OTHER THAN TREATIES,  
REORGANIZATION PLANS, AND PROPOSED  
AMENDMENT TO THE CONSTITUTION

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PART 1

PUBLIC LAWS  
REORGANIZATION PLANS  
PROPOSED AMENDMENT TO THE CONSTITUTION



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<sup>1</sup>For negative action on Reorganization Plan No. 2 of 1947, see H. Con. Res. 49, 61 Stat., Pt. 2, p. 1023.

# PUBLIC LAWS

PUBLIC LAWS  
ENACTED DURING THE  
FIRST SESSION OF THE EIGHTIETH CONGRESS  
OF THE  
UNITED STATES OF AMERICA

*Begun and held at the City of Washington on Friday, January 3, 1947, and adjourned  
sine die on Friday, December 19, 1947*

HARRY S. TRUMAN, President; ARTHUR H. VANDENBERG, President of the Senate  
*pro tempore*; JOSEPH W. MARTIN, Jr., Speaker of the House of Representatives.

[CHAPTER 1]

JOINT RESOLUTION

Relating to officers and employees of the Senate and House of Representatives.

January 31, 1947  
[S. J. Res. 3]  
[Public Law 1]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding the provisions of section 202 (h) of the Legislative Reorganization Act of 1946—*

60 Stat. 835.  
2 U. S. C. § 72a.

(1) the positions and funds allocated on January 1, 1947, to the chairman of any standing committee of the Senate existing on such date shall be continued through January 31, 1947, unless otherwise directed by such chairman; except that in the case of any such chairman who has died or was not reelected, committee employees (except in the case of death or resignation of any such employee) shall be continued on the pay rolls of the Senate through January 31, 1947, unless sooner removed for cause by the Secretary of the Senate, and such employees shall perform such duties as the Secretary of the Senate shall prescribe;

Senate.  
Continuation of cer-  
tain positions and  
funds.

(2) clerks and other employees (except in the case of death or resignation of any such employee) of any Senator who was a member of the Senate on January 1, 1947, but who was not a chairman of any standing committee existing on January 1, 1947, and who was not reelected shall be continued on the rolls of the Senate through the date of enactment of this Act, unless



Appropriations  
available.

60 Stat. 386.

House of Repre-  
sentatives.  
Employees of abol-  
ished committees.  
60 Stat. 812.  
2 U. S. C. § 72a note.

Employees of com-  
mittees not abolished.

*Supra.*

Appropriations  
available.

60 Stat. 393.

60 Stat. 834, 839.  
2 U. S. C. §§ 60a and  
note, 261 note, 74b.  
Repeal.  
60 Stat. 911.

sooner removed for cause by the Secretary of the Senate; and such employees shall perform such duties as the Secretary of the Senate shall prescribe;

(3) the appropriations for the compensation of employees of Senators and of committee employees of standing committees of the Senate contained in the Legislative Branch Appropriation Act, 1947, shall be available for the compensation of employees specified in paragraphs (1) and (2) and of the elected officers of the Senate;

(4) employees of any standing committee of the House of Representatives of the Seventy-ninth Congress, which is abolished by operation of the Legislative Reorganization Act of 1946 (except in the case of the death or resignation of any such employee) shall continue on the rolls through January 31, 1947, unless sooner removed for cause by the Clerk of the House of Representatives;

(5) employees of any standing committee of the House of Representatives of the Seventy-ninth Congress which is not abolished by operation of the Legislative Reorganization Act of 1946 (except in the case of the death or resignation of any such employee) shall continue on the rolls until January 31, 1947, unless otherwise directed by action of such committee; and

(6) the appropriations for "Salaries, officers and employees, House of Representatives", as contained in the Legislative Branch Appropriation Act, 1947, shall be available in such amounts and under such regulations as may be approved by the Committee on House Administration for compensation of employees of the standing committees of the House of Representatives of the Eightieth Congress, except the Committee on Appropriations, and shall be available for the compensation of officers and employees of the House of Representatives as authorized by section 201 and section 244 of the Legislative Reorganization Act of 1946.

(b) The proviso under the caption "Senate" in the First Supplemental Appropriation Act, 1947, approved August 8, 1946, is hereby repealed, effective as of August 8, 1946.

Approved January 31, 1947.

## [CHAPTER 2]

### JOINT RESOLUTION

February 1, 1947  
[H. J. Res. 57]  
[Public Law 2]

Extending for fifteen months the period of time during which alcohol plants are permitted to produce sugars or sirups simultaneously with the production of alcohol.

60 Stat. 306.  
26 U. S. C. § 3126  
(a).

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 3126 (a) of the Internal Revenue Code (relating to emergency production of sugars and sirups in industrial alcohol plants) is amended by striking out "February 1, 1947," and inserting in lieu thereof "April 30, 1948,".

Approved February 1, 1947.

## [CHAPTER 3]

### JOINT RESOLUTION

Relating to the salaries of certain Senate employees.

February 19, 1947  
[S. J. Res. 4]  
[Public Law 3]

60 Stat. 386.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) in the case of any position under the Senate for which additional compensation is provided for in the Legislative Branch Appropriation Act, 1947 "so long as the position is held by the present incumbent", the salary provided in such Act, including such additional compensation, shall be payable

to any incumbent thereof without regard to the above-quoted limitation, in addition to any other compensation authorized by law for such position.

(b) The salaries referred to in the foregoing subsection shall be payable from January 3, 1947.

Approved February 19, 1947.

#### [CHAPTER 4]

#### JOINT RESOLUTION

Providing for a more effective staff organization for standing committees of the Senate.

February 19, 1947  
[S. J. Res. 24]  
[Public Law 4]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That notwithstanding the provisions of section 202 of the Reorganization Act of 1946, the clerical staffs of standing committees of the Senate shall be organized and compensated in the manner hereinafter provided.

60 Stat. 834.  
2 U. S. C. § 72a.

The annual rates of compensation for the clerical staff of each standing committee of the Senate (other than the Appropriations Committee) shall be \$2,000 to \$8,000 for one chief clerk and one assistant chief clerk; and \$2,000 to \$3,720 for not to exceed four other clerical assistants.

Rates of compensation.

The annual rates of compensation for the clerical staff of the Appropriations Committee shall be as follows: One chief clerk and one assistant chief clerk at \$5,600 to \$8,000; such assistant clerks as may be necessary at \$3,820 to \$5,600; and such other clerical assistants as may be necessary at \$2,000 to \$3,720.

Clerical staff of Appropriations Committee.

Such compensation shall be fixed by the chairman of each such committee.

Approved February 19, 1947.

#### [CHAPTER 5]

#### AN ACT

To amend the National Service Life Insurance Act of 1940, as amended.

February 21, 1947  
[H. R. 1353]  
[Public Law 5]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That subsection (a) of section 602 of the National Service Life Insurance Act of 1940, as amended, is hereby amended to read as follows:

54 Stat. 1009.  
38 U. S. C. § 802 (a).

“(a) Every person who is commissioned and hereafter ordered into, or who is hereafter examined, accepted, and enrolled in, the active service and while in such active service shall, upon application in writing (made within one hundred and twenty days after entrance into such active service) and payment of premiums as hereinafter provided and without further medical examination, be granted insurance by the United States against the death of such person occurring while such insurance is in force.”

Persons eligible for insurance.

SEC. 2. Subsection (f) of section 602 of the National Service Life Insurance Act of 1940, as amended, is hereby amended to read as follows:

54 Stat. 1009.  
38 U. S. C. § 802 (f).

“(f) Such insurance may be issued on the following plans: Five-year level premium term, ordinary life, twenty-payment life, thirty-payment life, twenty-year endowment, endowment at age sixty, and endowment at age sixty-five. Level premium term insurance may be converted as of the date when any premium becomes or has become due, or exchanged as of the date of the original policy, upon payment of the difference in reserve, at any time while such insurance is in force and within the term period to any of the foregoing permanent plans of insurance: *Provided*, That conversion to an endowment plan may

Plans for issuance of insurance.

Conversion of level premium term insurance.

Total disability.

Termination.  
Other provisions.

Repeals.  
60 Stat. 787.  
38 U. S. C. § 802 (y).

not be made while the insured is totally disabled. In any case in which the insured is shown by evidence satisfactory to the Administrator to be totally disabled at the expiration of the level premium term period of his insurance under conditions which would entitle him to continued insurance protection but for such expiration, such insurance shall be automatically converted to insurance on the ordinary life plan unless the insured has elected insurance on some other available plan. All level premium term policies shall cease and terminate at the expiration of the term period. Provisions for cash, loan, paid-up, and extended values, dividends from gains and savings, refund of unearned premiums, and such other provisions as may be found to be reasonable and practicable may be provided for in the policy of insurance or from time to time by regulations promulgated by the Administrator."

SEC. 3. Subsections (y) (1) and (y) (2) of section 602 of the National Service Life Insurance Act of 1940, as amended, are hereby repealed.

Approved February 21, 1947.

#### [CHAPTER 6]

#### JOINT RESOLUTION

February 26, 1947  
[H. J. Res. 114]  
[Public Law 6]

To continue the authority of the Maritime Commission to operate vessels until July 1, 1947.

U. S. Maritime  
Commission.  
Continuation of au-  
thority for carrier serv-  
ice.

Post, pp. 190, 697.

60 Stat. 614.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That notwithstanding any other provision of law any temporary authority issued or to be issued by an appropriate Government agency to the United States Maritime Commission to provide service as a carrier by water may be valid for a period not extending beyond July 1, 1947.

SEC. 2. The paragraph under the head "United States Maritime Commission" in title I of the Third Deficiency Appropriation Act, 1946, is hereby amended by striking out "March 1, 1947" and inserting in lieu thereof "July 1, 1947".

Approved February 26, 1947.

#### [CHAPTER 7]

#### JOINT RESOLUTION

February 26, 1947  
[H. J. Res. 121]  
[Public Law 7]

Granting, in the case of income, estate, and gift taxes, deductions for contributions to the United Nations.

United Nations.  
Charitable contri-  
butions, etc.

53 Stat. 15.  
26 U. S. C. § 23 (o)  
(4), (5).

58 Stat. 35.  
26 U. S. C. § 23 (q)  
37.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 23 (o) of the Internal Revenue Code (relating to the so-called "charitable contribution" deduction) is amended by striking out the word "or" at the end of paragraph (4) thereof, and by inserting at the end of paragraph (5) the word "or", and by adding after paragraph (5) a new paragraph to read as follows:

"(6) the United Nations, but only if such contributions or gifts (A) are to be used exclusively for the acquisition of a site in the city of New York for its headquarters, and (B) are made after December 1, 1946, and before December 2, 1947;".

SEC. 2. Section 23 (q) of such code (relating to the so-called "charitable contribution" deduction) is amended by inserting at the end of paragraph (3) the word "or", and by adding after paragraph (3) a new paragraph to read as follows:

"(4) the United Nations, but only if such contributions or gifts (A) are to be used exclusively for the acquisition of a site in the city of New York for its headquarters, and (B) are made after December 1, 1946, and before December 2, 1947;".

SEC. 3. Section 1004 (a) (2) of such code (relating to deductions for purposes of gift tax) is amended by striking out the period at the end of subparagraph (E), and inserting in lieu thereof a semicolon, and by adding after subparagraph (E) a new subparagraph to read as follows:

53 Stat. 147.  
26 U. S. C. § 1004  
(a) (2) (E).

“(F) the United Nations, but only if such gifts (i) are to be used exclusively for the acquisition of a site in the city of New York for its headquarters, and (ii) are made after December 1, 1946, and before December 2, 1947.”

SEC. 4. Section 1004 (b) of such code (relating to deductions for purposes of gift tax) is amended by striking out the period at the end of paragraph (6), and inserting in lieu thereof a semicolon, and by adding after paragraph (6) a new paragraph to read as follows:

53 Stat. 148.  
26 U. S. C. § 1004  
(b) (6).

“(7) the United Nations, but only if such gifts (A) are to be used exclusively for the acquisition of a site in the city of New York for its headquarters, and (B) are made after December 1, 1946, and before December 2, 1947.”

SEC. 5. The first sentence of section 812 (d) and the first sentence of section 861 (a) (3) of such code (relating to transfers for public, etc., uses) are hereby amended by inserting after the words “to influence legislation” a comma and the words: “or to or for the use of the United Nations, but only if such bequests, legacies, devises, or transfers to or for the use of the United Nations are to be used exclusively for the acquisition of a site in the city of New York for its headquarters, and the death of the decedent occurred after December 1, 1946, and before December 2, 1947”.

53 Stat. 124, 130.  
26 U. S. C. §§ 812  
(d), 861 (a) (3).

Approved February 26, 1947.

## [CHAPTER 8]

### AN ACT

To authorize the Secretary of Agriculture to cooperate with the Government of Mexico in the control and eradication of foot-and-mouth disease and rinderpest.

February 28, 1947  
[S. 568]  
[Public Law 8]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of Agriculture is authorized to cooperate with the Government of Mexico in carrying out operations or measures to eradicate, suppress, or control, or to prevent or retard, foot-and-mouth disease or rinderpest in Mexico where he deems such action necessary to protect the livestock and related industries of the United States. In performing the operations or measures herein authorized, the Government of Mexico shall be responsible for the authority necessary to carry out such operations or measures on all lands and properties in Mexico and for such other facilities and means as in the discretion of the Secretary of Agriculture are necessary. The measure and character of cooperation carried out under this Act on the part of the United States and on the part of the Government of Mexico, including the expenditure or use of funds appropriated pursuant to this Act, shall be such as may be prescribed by the Secretary of Agriculture. Arrangements for the cooperation authorized by this Act shall be made through and in consultation with the Secretary of State. The authority contained in this Act is in addition to and not in substitution for the authority of existing law.

Cooperation with  
Mexico to control  
foot-and-mouth dis-  
ease, etc.

Responsibility of  
Mexico.

Arrangements with  
Secretary of State.

SEC. 2. For purposes of this Act, funds appropriated pursuant thereto may also be used for the purchase or hire of passenger motor vehicles and aircraft, for printing and binding without regard to section 87 of the Act of January 12, 1895, or section 11 of the Act of March 1, 1919 (U. S. C., title 44, sec. 111), for personal services in the District of Columbia and elsewhere without regard to the limita-

Use of funds.

28 Stat. 622; 40 Stat.  
1270.

60 Stat. 219.  
5 U. S. C. § 947 (g).

Reports to Con-  
gress.

Appropriations au-  
thorized.  
*Post.*, pp. 24, 185,  
245, 617.

tions contained in section 607 (g) of the Federal Employees Pay Act of 1945, as amended, including the employment of civilian nationals of Mexico, and for the construction and operation of research laboratories, quarantine stations and other buildings and facilities.

SEC. 3. Thirty days after the enactment of this Act, and every thirty days thereafter, the Secretary of Agriculture shall make a report to the Congress with respect to the activities carried on under this Act.

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out this Act.

Approved February 28, 1947.

#### [CHAPTER 9]

#### JOINT RESOLUTION

March 7, 1947  
[S. J. Res. 33]  
[Public Law 9]

To amend the Act of August 9, 1946 (Public Law 711, Seventy-ninth Congress), for the purpose of allowing the Philadelphia National Shrines Park Commission additional time in which to prepare and to submit its report to the Congress.

60 Stat. 974.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 4 of the Act of August 9, 1946 (Public Law 711, Seventy-ninth Congress), is amended by deleting therefrom the date "January 3, 1947" and inserting in lieu thereof the date "January 3, 1948".

Approved March 7, 1947.

#### [CHAPTER 10]

#### JOINT RESOLUTION

March 7, 1947  
[S. J. Res. 60]  
[Public Law 10]

To authorize the San Carlos Irrigation and Drainage District, Arizona, to drill, equip, and acquire wells for use on the San Carlos irrigation project.

San Carlos irriga-  
tion project, Ariz.

Whereas the San Carlos irrigation project, Arizona, has been constructed under authority of the Act of June 7, 1924 (43 Stat. 475), as supplemented and amended; and

Whereas a contract has been executed pursuant to such legislative authority between the Secretary of the Interior and the San Carlos Irrigation and Drainage District providing for the repayment of the proper share of the cost of project irrigation works by the San Carlos Irrigation and Drainage District on behalf of project lands in private and public ownership; and

Whereas, at the beginning of the 1947 irrigation season, due to extended drought, there is virtually a complete lack of surface and reservoir water supply on the project for the irrigation of the lands of the district and the Pima Indians of the Gila River Indian Reservation, thus creating an emergency: Now, therefore, be it

Extension author-  
ized.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That there is hereby authorized to be constructed an extension of the system of wells and pumping works of the San Carlos irrigation project, including the enlargement, rehabilitation, and repair of the present pumping and drainage works of the said project, and in order to expedite and assist the accomplishment thereof, the San Carlos Irrigation and Drainage District, is hereby authorized, (1) to develop underground water within and without the area of the San Carlos irrigation project exclusively for use as a part of the common stored and pumped water supply of said project; (2) to drill irrigation wells within and without the project area necessary for making underground waters available exclusively for use on all lands of the project, and equip the same with pumping facilities and equipment, including the deepening, replacement, and repair of existing project wells and equipment; and (3) to purchase with the consent of and under agreement with the

owner thereof and to develop privately owned wells within or adjacent to the project areas, together with rights of way necessary to the operation of such wells: *Provided*, That the cost of the wells, exclusively for use as part of the common stored and pumped water supply of said project, equipment, and pumping works herein authorized to be constructed or acquired shall not exceed the sum of \$380,000 and, within that limit, such cost shall be deemed a project charge to be distributed equally per acre over both the Indian lands and the lands in public and private ownership within the San Carlos irrigation project, and shall be repayable to the United States in accordance with existing law: *Provided further*, That the Secretary shall, at the earliest practicable date, enter into an agreement with the San Carlos Irrigation and Drainage District, which agreement shall describe the scope and extent of the work to be done by the district, the plans and specifications therefor, and such other provisions, in conformity herewith, as may be agreed upon between the Secretary and the district: *Provided further*, That the San Carlos Irrigation and Drainage District shall be reimbursed for costs expended by it in the construction and acquisition of such wells, equipment, and pumping works; and the Secretary is hereby authorized to make such reimbursement: First, by releasing the district from the payment of construction charges due the United States annually by the district under the repayment contract executed pursuant to said Act of June 7, 1924, as amended, as such charges become due and payable, until the amount of the payments so released shall equal the total amount of the funds certified under oath by the district as having been expended by it for the construction and acquisition of wells and equipment under the terms of the agreement provided for herein, the first of such annual payments so to be released by the Secretary being that due from the district on December 1, 1947; or second, by paying to the district the full amount of the funds so certified as expended by it in the work authorized to be done, or any balance thereof not otherwise paid as hereinabove provided, out of appropriations hereafter made by Congress for this purpose; and there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of \$380,000, or so much thereof as may be necessary, to carry out the purposes of this joint resolution.

Approved March 7, 1947.

Cost limitation.

Repayment of project charge to U. S.

Agreement.

Reimbursement.

43 Stat. 475.

Appropriation authorized.

# [CHAPTER 11]

## AN ACT

To authorize the Secretary of the Navy to convey to the city of Los Angeles, California, an easement for construction and operation of a storm drain in and under certain Government-owned lands situated in that city.

March 7, 1947

[S. 235]

[Public Law 11]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Navy be, and he hereby is, authorized to convey to the city of Los Angeles, California, under such terms and conditions as he may consider appropriate, a perpetual easement for the construction, reconstruction, inspection, maintenance, operation, and repair of a storm drain in, under, and along a part of a plot of approximately fifteen and six-tenths acres of land located in the city of Los Angeles, California, and acquired by the United States through condemnation proceeding numbered 2044-BH, Civil, in the District Court of the United States for the Central Division of the Southern District of California, metes and bounds description of which is on file in the Navy Department.

Los Angeles, Calif.  
Conveyance.

Approved March 7, 1947.

## [CHAPTER 12]

## JOINT RESOLUTION

March 7, 1947  
[H. J. Res. 122]  
[Public Law 12]

To authorize the United States Maritime Commission to make provision for certain ocean transportation service to and from Alaska until July 1, 1948, and for other purposes.

U. S. Maritime  
Commission.  
Water transporta-  
tion service for Alas-  
ka.

Availability to oper-  
ators of Government-  
owned vessels.

Allocation of re-  
ceipts.

Reports to Con-  
gress.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to provide essential water transportation service for the Territory of Alaska pending the determination of long-range policy with respect to such transportation, the United States Maritime Commission is authorized to enter into appropriate contracts, charters, and other arrangements with American citizens operating American flag-line vessels deemed by the Commission to be qualified to supply such service until July 1, 1948. Such contracts or arrangements shall include provisions for making available to such operators Government-owned vessels under the control or jurisdiction of the United States Maritime Commission for operation during the period ending June 30, 1948. Such provisions may include charter hire at a nominal rate or rates, with necessary marine insurance to be provided by the Commission as to ships made available by the Commission and other ships operated by such operators in the Alaska service under the contracts or arrangements with the Commission. Such provisions may likewise include requirements that the operators shall agree to operate such ships in a manner as determined by the Commission to secure the most economical transportation for the Alaska service. The contracts or other arrangements shall include appropriate provisions for allocation of receipts from the operations of such ships. Such contracts or arrangements shall include, among such other requirements as the Commission may deem appropriate, provision for the application of such receipts to meet the operating costs and overhead expenses of the operator as approved by the Commission and an amount equal to the charter hire paid by the Commission for the use of the existing privately owned vessels, and in the case of vessels acquired subsequent to the enactment of this Act an amount equivalent to 15 per centum per annum of the purchase price of said vessel plus capitalized betterments, and amounts in excess thereof to become the property of the operators in amounts not in excess of 10 per centum (before taxes) on the value of the assets (other than vessels) contributed to the venture by the operator as determined by the Commission for the purposes hereof and not otherwise. Any amount in excess of such 10 per centum shall be applied first to meet the insurance expenses of the Commission, and any balance shall be applied or distributed as may be provided by the terms of the contracts or arrangements, but in no event shall the Commission receive less than 75 per centum of such balance, as additional charter hire.

SEC. 2. The Commission shall report to the Congress at intervals of not greater than ninety days all contracts, charters, and other arrangements entered into pursuant to this Act and the details and course of all operations which have been conducted thereunder.

Approved March 7, 1947.

## [CHAPTER 13]

## AN ACT

March 7, 1947  
[S. 234]  
[Public Law 13]

To authorize the Secretary of the Navy to convey to the Central of Georgia Railway Company an easement for railway purposes in certain Government-owned lands situated in Bibb County, Georgia.

Central of Georgia  
Railway Co.  
Conveyance.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy be, and he hereby is, authorized to convey to the Central

of Georgia Railway Company a perpetual easement for the installation and operation of a railroad spur track in, over, and across a fifty and one-half foot strip of land at the Naval Ordnance Plant, Macon, Georgia, containing approximately thirty-three one-hundredths acre of land, metes and bounds description of which is on file in the Navy Department.

SEC. 2. The Secretary of the Navy shall require, as a condition precedent to the conveyance herein authorized, payment by the grantee to the United States of a sum equal to the current market value of the easement herein authorized to be conveyed. The grantee shall bear the expense of relocating fencing, gates, and power poles now located on the land.

Payment by  
grantee.

Approved March 7, 1947.

[CHAPTER 14]

AN ACT

To authorize the payment of \$425.88 by the United States to the Government of Switzerland.

March 10, 1947  
[H. R. 1040]  
[Public Law 14]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized to pay to the proper representatives of the Government of Switzerland, out of any money not otherwise appropriated, the sum of \$425.88, in full settlement of all claims against the United States for the loss of food and other items stored aboard the Japanese vessel Awa Maru, when that vessel was sunk in western Pacific waters.

Switzerland.  
Settlement of  
claims.

Approved March 10, 1947.

[CHAPTER 15]

AN ACT

To amend the Federal Firearms Act.

March 10, 1947  
[H. R. 1778]  
[Public Law 15]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That paragraph (6) of the first section of the Federal Firearms Act of June 30, 1938 (52 Stat. 1250; U. S. C., title 15, sec. 901 (6)), be, and the same is hereby, amended to read as follows:

"(6) The term 'crime of violence' means murder, manslaughter, rape, mayhem, kidnaping, robbery, burglary, housebreaking; assault with intent to kill, commit rape, or rob; assault with a dangerous weapon, or assault with intent to commit any offense punishable by imprisonment for more than one year."

"Crime of violence."

Approved March 10, 1947.

[CHAPTER 16]

AN ACT

To amend the Federal Food, Drug, and Cosmetic Act of June 25, 1938, as amended, by providing for the certification of batches of drugs composed wholly or partly of any kind of streptomycin, or any derivative thereof, and for other purposes.

March 10, 1947  
[H. R. 2045]  
[Public Law 16]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 301 (j) of the Federal Food, Drug, and Cosmetic Act of June 25, 1938, as amended (U. S. C., 1940 edition, title 21, ch. 9), is amended by inserting "506, 507," after "section 404, 505,".

52 Stat. 1042.  
21 U. S. C. § 331 (j).

SEC. 2. Section 502 (1) of such Act, as amended, is amended by inserting "or streptomycin" after "penicillin".

59 Stat. 463.  
21 U. S. C. § 352 (l).



59 Stat. 463.  
21 U. S. C. § 357.

SEC. 3. The heading of section 507 of such Act, as amended, is amended by inserting "OR STREPTOMYCIN" after "PENICILLIN"; and the first sentence of subsection (a) of such section 507 is amended by inserting "or streptomycin" after "penicillin".

Approved March 10, 1947.

# [CHAPTER 17]

## AN ACT

To continue in effect certain war excise tax rates, and for other purposes.

March 11, 1947  
[H. R. 1030]  
[Public Law 17]

Excise Tax Act of  
1947.

58 Stat. 61.  
26 U. S. C. § 1650.

Repeals.  
58 Stat. 63.  
26 U. S. C. §§ 1654,  
1655.

59 Stat. 576.  
26 U. S. C. § 1659.

58 Stat. 63.  
26 U. S. C. § 1650  
note.

58 Stat. 61.  
26 U. S. C. § 1650  
et seq.

58 Stat. 68.  
26 U. S. C. § 3250  
note.

55 Stat. 718.  
26 U. S. C. § 2401.

Applicability.

55 Stat. 721.  
26 U. S. C. § 3469 (a).

"Northern portion  
of the Western Hemi-  
sphere."

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Excise Tax Act of 1947".

SEC. 2. Section 1650 of the Internal Revenue Code (war tax rates of certain miscellaneous taxes) is hereby amended by striking out "and ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war".

SEC. 3. Sections 1654 (termination of retail tax on luggage, etc.) and 1655 (definition of "date of the termination of hostilities in the present war") of such Code are hereby repealed.

SEC. 4. Section 1659 of such Code is hereby amended to read as follows:

### "SEC. 1659. DEFINITION OF RATE REDUCTION DATE."

"For the purposes of this chapter the term 'rate reduction date' means such date as the Congress shall by law prescribe."

SEC. 5. Section 302 (b) (2) of the Revenue Act of 1943 (period applicable to increase of tax with respect to billiard and pool tables and bowling alleys) is hereby amended by striking out "and continuing through June 30 next following the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war (as defined in Chapter 9A of the Internal Revenue Code)".

SEC. 6. Section 309 (b) of the Revenue Act of 1943 (relating to draw-back on distilled spirits) is hereby amended by striking out "and ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war,".

SEC. 7. (a) Section 2401 of the Internal Revenue Code (relating to the tax on furs) is hereby amended by inserting after the words "chief value" a comma and the following: "but only if such value is more than three times the value of the next most valuable component material".

(b) The amendment made by subsection (a) shall apply in the case of articles sold on or after the first day of the first month which begins more than twenty days after the date of the enactment of this Act.

SEC. 8. (a) Section 3469 (a) of the Internal Revenue Code (relating to the tax on transportation of persons) is hereby amended by inserting after the first sentence two new sentences to read as follows: "The tax shall not apply with respect to transportation any part of which is outside the northern portion of the Western Hemisphere, except with respect to any part of such transportation which is from any port or station within the United States, Canada, or Mexico to any other port or station within the United States, Canada, or Mexico. For the purposes of this section, the words 'northern portion of the Western Hemisphere' mean the area lying west of the thirtieth meridian west of Greenwich, east of the International Date Line, and north of the equator, but not including any country of South America."

(b) The amendment made by subsection (a) shall apply to amounts paid on or after the first day of the first month which begins more than twenty days after the date of the enactment of this Act for transportation on or after such first day.

(c) Effective with respect to tickets sold or issued on or after the first day of the first month which begins more than twenty days after the date of the enactment of this Act, section 1806 of the Internal Revenue Code (relating to stamp tax on passage tickets) is hereby repealed.

Approved March 11, 1947.

Applicability.

Repeal.

53 Stat. 199.  
26 U. S. C. § 1806.

## [CHAPTER 18]

### AN ACT

To authorize the Secretary of the Navy to convey to American Telephone and Telegraph Company an easement for communication purposes in certain lands situated in Virginia and Maryland.

March 21, 1947  
[S. 220]

[Public Law 18]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy is hereby authorized to grant, subject to such terms and conditions as he may prescribe, to American Telephone and Telegraph Company of Virginia, a corporation, an easement for the installation, maintenance, operation, replacement, and removal of underground communication systems consisting of cables, wires, conduits, manholes, drains and splicing boxes, surface testing terminals, repeaters, markers, and other appurtenances as the said corporation may from time to time require (a) upon, under, and across the following parcels of land within the boundaries of the United States Naval Proving Grounds, King George County, Virginia, the metes and bounds descriptions of which are on file in the Navy Department:

American Telephone  
and Telegraph Com-  
pany of Virginia.  
Conveyance.

(1) a strip of land sixteen and five-tenths feet in width and approximately five thousand six hundred and sixteen feet in length extending from the westerly boundary of said naval reservation to the Potomac River, north of and adjacent to United States Highway Numbered 301;

(2) a strip of land sixteen and five-tenths feet in width and approximately four hundred and twenty feet in length connecting with the aforesaid strip of land and running northeasterly to the Potomac River;

(3) a piece or parcel of land containing approximately one hundred sixteen and three hundred and seventy-five one-thousandths square feet for an auxiliary repeater station site;

and (b) upon, under, and across the railroad right-of-way of the United States of America between Fredericksburg and Dahlgren, King George County, Virginia, at station 1450 plus 57 of said railroad station system, the metes and bounds description of which is on file in the Navy Department.

SEC. 2. The Secretary of the Navy is further authorized to grant, subject to such terms and conditions as he may prescribe, to American Telephone and Telegraph Company of Baltimore City, a corporation, an easement for the purposes contained in section 1 of this Act, upon, under, and across the railroad right-of-way of the United States of America between Indian Head and White Plains, Charles County, Maryland, at a point in said right-of-way two thousand four hundred and thirty-one feet distant along the railroad centerline from the point of switch with the main line of the Pope Creek Branch of the Baltimore and Washington Railroad, the metes and bounds description of which is on file in the Navy Department.

American Telephone  
and Telegraph Com-  
pany of Baltimore  
City.  
Conveyance.

Approved March 21, 1947.

## [CHAPTER 19]

## AN ACT

March 21, 1947

[S. 221]

[Public Law 19]

To authorize the Secretary of the Navy to grant and convey to the Virginia Electric and Power Company a perpetual easement in two strips of land comprising portions of the Norfolk Navy Yard, Portsmouth, Virginia, and for other purposes.

Virginia Electric  
and Power Co.  
Conveyance.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy be, and he is hereby, authorized to grant and convey by quitclaim deed under such conditions as he may approve, to Virginia Electric and Power Company, a corporation organized and existing under and by virtue of the laws of the Commonwealth of Virginia, a perpetual easement in two strips of land, each twenty feet in width, and four hundred and fourteen feet in length and six hundred and sixty-three feet in length, respectively, containing four hundred and ninety-four one-thousandths of an acre of land, more or less, comprising portions of the salvage yard, and the Public Works storage lot, Norfolk Navy Yard, Portsmouth, Virginia, for the construction, maintenance, operation, renewal, replacement, and repair of electric power transmission and distribution lines consisting of poles, wires, cables, and other fixtures and appurtenances incidental thereto, the metes and bounds descriptions of which are on file in the Navy Department.

Transfer of equip-  
ment, etc.

SEC. 2. The Secretary of the Navy, in consideration of the transfer to the United States by Virginia Electric and Power Company of title to certain equipment consisting of poles, wires, cross-arms, insulators, and other incidental materials, is further authorized to transfer, under such conditions as he shall approve, to said Virginia Electric and Power Company, all of the right, title, and interest of the United States of America, in two electric cables, each three conductor, three hundred and fifty thousand circular mils, eleven-thousand-volt, and each three thousand nine hundred and ten feet in length, which are installed within two conduits of the United States of America, constructed in and upon a strip of land comprising a part of the Norfolk Navy Yard, Portsmouth, Virginia; and the Secretary of the Navy is further authorized to grant and convey, under such conditions as he may approve, to Virginia Electric and Power Company, a perpetual easement to maintain, operate, renew, replace, and repair the aforesaid electric cables within said conduits, the metes and bounds description of the location of which is on file in the Navy Department.

Approved March 21, 1947.

## [CHAPTER 20]

## AN ACT

March 22, 1947

[H. R. 1968]

[Public Law 20]

Making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes.

Urgent Deficiency  
Appropriation Act,  
1947.  
Post, p. 118.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes, namely:

## TITLE I—GENERAL APPROPRIATIONS

## LEGISLATIVE

## SENATE

For payment to Margaret S. Andrews, widow of Charles O. Andrews, late a Senator from the State of Florida, \$10,000.

For payment to Edith Pou Bailey, widow of Josiah W. Bailey, late a Senator from the State of North Carolina, \$10,000.

For additional clerical assistance in the Disbursing Office at the rate of \$3,000 per annum from March 1 to June 30, 1947, fiscal year 1947, \$1,000.

The sum of \$50,000 made available out of the contingent fund of the Senate by the Legislative Branch Appropriation Act, 1947, for the purpose of enabling the Senate Committee on Appropriations to employ expert and clerical assistance, is hereby made available for the employment of a consultant at not to exceed \$35 per day when actually employed, including all pay increases authorized by the Federal Employees Pay Act of 1945, as amended.

Consultant.

60 Stat. 392.

For payment to Henry V. DeMott for services rendered the special committee investigating the production, transportation, and marketing of wool during the months of October and December 1939, and January and March 1940, one month at the rate of \$3,300 per annum, fiscal year 1940, \$275.

59 Stat. 301.

5 U. S. C. §§ 931, 932.

For an amount necessary to increase the salary of one clerk under the Office of the Sergeant at Arms from \$2,500 to \$3,300, effective March 1, 1947, fiscal year 1947, \$267, and the Legislative Branch Appropriation Act for the fiscal year 1947 hereby is amended accordingly.

60 Stat. 390.

2 U. S. C. § 60a.

For the employment of six additional telephone operators from March 1 to June 30, 1947, at \$1,800 each per annum, fiscal year 1947, \$3,600.

For an additional amount for rent of warehouse for storage of public documents, fiscal year 1947, \$2,174.40.

## HOUSE OF REPRESENTATIVES

For payment to the widow of William J. Gallagher, late a Representative from the State of Minnesota, \$10,000.

For payment to the widow of William B. Barry, late a Representative from the State of New York, \$10,000.

For payment to the widow of Robert K. Henry, late a Representative from the State of Wisconsin, \$10,000.

## EDUCATION OF SENATE AND HOUSE PAGES

For reimbursement to the District of Columbia for education of congressional pages and pages of the Supreme Court, from January 2, 1947, pursuant to the provisions of section 243 of the Act of Congress entitled "An Act to provide for increased efficiency in the Legislative Branch of the Government", approved August 2, 1946, fiscal year 1947, \$10,600, which amount shall be credited to the appropriation for "General supervision and instruction, public schools, District of Columbia, 1947", and the Board of Education of the District of

60 Stat. 839.

2 U. S. C. § 88a.

Columbia is hereby authorized to employ such personnel for the education of pages as may be required and to pay compensation for such services from January 2, 1947, in accordance with such rates of compensation as the Board of Education may prescribe: *Provided*, That the facilities provided for the education of such pages shall be available from and after January 2, 1947, also for the education of such other minors who are congressional employees as may be certified by the Secretary of the Senate and the Clerk of the House of Representatives to receive such education.

#### JOINT COMMITTEE ON ATOMIC ENERGY

*Post*, p. 363.  
60 Stat. 772.  
42 U. S. C. § 1815.

For salaries and expenses of the Joint Committee on Atomic Energy created by section 15 of the Atomic Energy Act of 1946, including compensation of consultants at such rates as may be fixed by the committee but not exceeding \$35 gross each per day while actually employed, fiscal year 1947, \$50,000, to be disbursed by the Secretary of the Senate on vouchers approved by the chairman; and the Secretary of the Senate hereby is authorized to advance to the committee on the receipt of the chairman such sums within the appropriation as may be necessary from time to time to defray incidental expenses, to be accounted for in the same manner as provided by law for Senate committees.

#### COMMITTEE ON FEDERAL EXPENDITURES

26 U. S. C. note  
prec. § 3600.

For an amount which is hereby authorized to enable the Joint Committee on Reduction of Nonessential Federal Expenditures to carry out the duties imposed upon it by section 601 of the Revenue Act of 1941 (55 Stat. 726), to remain available during the existence of the committee, \$7,500, to be disbursed by the Secretary of the Senate.

#### ARCHITECT OF THE CAPITOL

60 Stat. 400.

Senate Office Building: For an additional amount, fiscal year 1947, for maintenance, including the objects specified under this head in the Legislative Branch Appropriation Act, 1947, \$32,000, to be expended by the Architect of the Capitol for structural and mechanical alterations and improvements to provide accommodations in the Senate Office Building for the Senate folding room, including all necessary incidental expenses in connection therewith.

### EXECUTIVE OFFICE OF THE PRESIDENT

#### OFFICE FOR EMERGENCY MANAGEMENT

##### OFFICE OF DEFENSE TRANSPORTATION

*Post*, p. 107.

Salaries and expenses: For an additional amount, fiscal year 1947, for "Salaries and expenses"; \$136,500.

##### OFFICE OF TEMPORARY CONTROLS

50 U. S. C. app.  
§ 601 note.  
Liquidation.

Salaries and expenses: For an additional amount, fiscal year 1947, for the Office of Price Administration transferred by Executive Order 9809 of December 12, 1946, to the Office of Temporary Controls, \$7,051,752, to be available for the payment of terminal leave only: *Provided*, That it is the intent of the Congress that the funds heretofore and herein appropriated shall include all expenses incident to the closing and liquidation of the Office of Price Administration and the Office of Temporary Controls by June 30, 1947.

## INDEPENDENT OFFICES

## FEDERAL SECURITY AGENCY

## BUREAU OF EMPLOYEES' COMPENSATION

Employees' compensation fund: For an additional amount, fiscal year 1947, for "Employees' compensation fund", \$3,000,000, to be expended in accordance with the provisions of Public Law Numbered 650, Seventy-ninth Congress, second session, and the Federal Employees' Compensation Act of 1916, as amended.

*Post*, p. 184.

60 Stat. 899.  
42 U. S. C. § 1701.

39 Stat. 742.  
5 U. S. C. § 751 *et seq.*

## VETERANS' ADMINISTRATION

Administration, medical, hospital, and domiciliary services: For an additional amount, fiscal year 1947, for "Administration, medical, hospital, and domiciliary services", \$165,000,000: *Provided*, That the amount available to repair, alter, improve, or provide facilities in the several hospitals and homes under the jurisdiction of the Veterans' Administration is increased to \$5,500,000; and the limitation on travel expenses imposed by section 105 of the Independent Offices Appropriation Act, 1947, is increased to \$8,043,000.

*Post*, pp. 62, 184.

Travel expenses.

60 Stat. 78.

*Post*, p. 62.

Military and naval insurance: For an additional amount, fiscal year 1947, for "Military and naval insurance", \$1,000,000, to remain available until expended.

Vocational rehabilitation revolving fund: To increase the "Vocational rehabilitation revolving fund (Act of March 24, 1943)", created by the Urgent Deficiency Appropriation Act, 1943, \$200,000.

*Post*, p. 62.

57 Stat. 44, 434.  
38 U. S. C. note foll.  
§ 739, p. 4269.  
*Post*, p. 180.

## TREASURY DEPARTMENT

## FISCAL SERVICE—BUREAU OF ACCOUNTS

Division of Disbursement, salaries and expenses: For an additional amount, fiscal year 1947, for "Division of Disbursement, salaries and expenses", \$3,100,000.

## TITLE II—REDUCTIONS IN APPROPRIATIONS AND AUTHORIZATIONS

Amounts available to the departments and agencies from appropriations and other funds are hereby reduced in the sums hereinafter set forth, such sums to be carried to the surplus fund and covered into the Treasury immediately upon the approval of this Act:

## EXECUTIVE OFFICE OF THE PRESIDENT

## Office for Emergency Management:

## Office of Scientific Research and Development:

Working fund, Executive, Emergency Management (Office of Scientific Research and Development), 1942–1946, \$2,044,477.

Working fund, Executive, Emergency Management (Office of Scientific Research and Development), 1940–1946, \$160,744.

Working fund, Executive, Emergency Management (Office of Scientific Research and Development), 1945, \$6,688,979.

## Office of Temporary Controls:

Salaries and expenses, Civilian Production Administration functions, Office of Temporary Controls, 1947, \$2,400,000:

Liquidation.

*Provided*, That the Civilian Production Administration shall be discontinued and its affairs shall be entirely liquidated not later than June 30, 1947.

Liquidation.

Salaries and expenses, Office of Price Administration functions, Office of Temporary Controls, 1947, \$2,000,000: *Provided*, That the Office of Price Administration shall be discontinued and its affairs shall be entirely liquidated not later than June 30, 1947.

Salaries and expenses, Economic Stabilization, Office of War Mobilization and Reconversion functions, Office of Temporary Controls, 1947, \$44,000.

Salaries and expenses, guaranteed annual wage plans, Office of War Mobilization and Reconversion functions, Office of Temporary Controls, 1946-1947, \$16,000.

#### FUNDS APPROPRIATED TO THE PRESIDENT

Emergency fund for the President, national defense, 1942-1947, \$2,500,000.

#### INDEPENDENT OFFICES

Atomic Energy Commission: Atomic energy, Executive (allotment to Atomic Energy Commission), 1942-1947, \$40,000,000.

Price Decontrol Board: Salaries and expenses, Price Decontrol Board, 1947, \$195,212.

United States Maritime Commission:

49 Stat. 1987.  
46 U. S. C. § 1116.

Construction fund, United States Maritime Commission, Act of June 29, 1936, revolving fund, \$265,000,000, and the contract authorization under this head is hereby reduced in the sum of \$132,000,000.

Availability of  
funds for previous ob-  
ligations.

Emergency ship construction fund, United States Maritime Commission, \$1,251,691, together with the unexpended balance: *Provided*, That hereafter the United States Maritime Commission construction fund shall be available for the payment of obligations previously incurred against the emergency ship construction fund.

Working fund, Maritime Commission (Navy Department), \$60,265,686.

Working fund, Maritime Commission (War Department), 1942-1945; working fund, Maritime Commission (War Department), 1945; working fund, Maritime Commission (War Department), 1942-1946, \$834,845.

Working fund, United States Maritime Commission, War Shipping Administration functions, December 31, 1946, \$358,679.

Working fund, United States Maritime Commission, War Shipping Administration functions, 1945, \$270,006.

Veterans' Administration:

Adjusted service and dependent pay, Veterans' Administration, \$71,631.

Military and naval family allowance, Veterans' Administration, \$11,155.97.

Hospital facilities and services, Veterans' Administration, \$8,469.39.

Vocational rehabilitation, Veterans' Administration, \$6,441.71.

#### FEDERAL SECURITY AGENCY

Office of Education:

Working fund, Federal Security Agency, Office of Education, 1946, \$2,600.

Working fund, Federal Security Agency, Office of Education (advance from Veterans' Administration), 1947, \$41,800.

Public Health Service: Working fund, United States Public Health Service, 1946, \$12,664.

Office of the Administrator:

Civilian war benefits, Federal Security Agency, 1947, \$18,000.

Civilian war assistance, Federal Security Agency, 1947, \$1,000,000.

#### FEDERAL WORKS AGENCY

Public Buildings Administration:

Social Security Board and Railroad Retirement Board buildings, Washington, District of Columbia, Public Buildings Administration, \$46,914.

War Department buildings, Washington, District of Columbia, Public Buildings Administration, \$150,000.

Great plaza development, triangle, Washington, District of Columbia, Public Buildings Administration, \$7,250.

Emergency construction of public buildings, Public Buildings Administration, Act of June 19, 1934, \$5,955, together with the unobligated balance as of June 30, 1947.

48 Stat. 1061.

Emergency construction of public buildings, Public Buildings Administration, Act of August 12, 1935, \$5,755, together with the unobligated balance as of June 30, 1947.

49 Stat. 599.

Emergency construction of public buildings, Public Buildings Administration, Act of June 22, 1936, \$11,661, together with the unobligated balance as of June 30, 1947.

49 Stat. 1638.

Federal office buildings numbered 2 and 3, in or near the District of Columbia, Public Buildings Administration, unobligated balance, June 30, 1947.

Emergency safeguarding of public buildings and property, Public Buildings Administration, \$10,000, together with the unobligated balance as of June 30, 1947.

Working capital fund, Public Buildings Administration, \$2,500.

Veterans' decentralization allowances, Public Buildings Administration, 1947-1948, \$40,000.

Materials testing laboratory and equipment, National Bureau of Standards (transfer to Federal Works Agency, Public Buildings Administration), \$7,797.

Working fund, Federal Works Agency, Public Buildings Administration, \$126,445.

Working fund, Federal Works Agency, Public Buildings Administration, 1946, \$51,453.

Public Roads Administration:

Access roads, Public Roads Administration (national defense), \$2,101,972.

Strategic highway network, Public Roads Administration (national defense), \$282,481.

Flood relief, Missouri, Mississippi, Louisiana, and Arkansas, for restoration of roads and bridges, Public Roads Administration, unobligated balance, June 30, 1947.

#### NATIONAL HOUSING AGENCY

Federal Public Housing Authority:

National defense housing, temporary shelter, Office of Administrator, National Housing Agency (transfer to Federal Public Housing Authority), \$142,098.

War housing in and near the District of Columbia, Federal Public Housing Authority, \$85,469.



49 Stat. 1987.  
46 U. S. C. § 1116.

Construction fund, United States Maritime Commission, Act of June 29, 1936 (transfer to National Housing Agency, Federal Public Housing Authority), \$574,096.

#### DEPARTMENT OF AGRICULTURE

##### Office of the Secretary:

Working fund, Agriculture, general, \$23,666.77.

Working fund, Agriculture, general, 1942-1946, \$78,669.52.

Bureau of Agricultural Economics: Working fund, Agriculture, Bureau of Agricultural Economics, \$16.25.

##### Extension Service:

Working fund, Agriculture, Extension Service, 1941-1946, \$3,655.

Working fund, Agriculture, Extension Service (special fund), \$475.76.

##### Agricultural Research Administration:

###### Office of the Administrator:

Removal and reestablishment of Arlington Farm, Virginia (transfer to Agriculture), \$162,400.18.

Working fund, Agriculture, Agricultural Research Administration, 1942-1946, \$34,813.89.

Working fund, Agriculture, Agricultural Research Administration, 1946, \$48,000.

Bureau of Plant Industry, Soils, and Agricultural Engineering: Rubber investigations, Bureau of Plant Industry, Soils, and Agricultural Engineering, \$105.70.

##### Forest Service:

Working fund, Agriculture, Forest Service, 1942-1946, \$51,465.66.

Working fund, Agriculture, Forest Service, 1946, \$82,823.93.

Acquisition of lands, \$36.56.

##### Soil Conservation Service:

Working fund, Agriculture, Soil Conservation Service, 1941-1946, \$128.

Working fund, Agriculture, Soil Conservation Service, 1942-1946, \$26,069.

##### Production and Marketing Administration:

Conservation and use of agricultural land resources, Department of Agriculture, 1946-1947, \$8,945,000.

Administration of Price Adjustment Act of 1938, Department of Agriculture, \$85,638.

Exportation and domestic consumption of agricultural commodities, Department of Agriculture (cotton price adjustment), \$139,068.

Payments for agricultural adjustment, Department of Agriculture, \$4,505.

Community facilities, defense public works, Office of Administrator, Federal Works Agency (transfer to Agriculture), \$11,895.

#### DEPARTMENT OF COMMERCE

##### Bureau of the Census:

Working fund, Commerce, Bureau of the Census, 1947, \$21,500.

Working fund, Commerce, Bureau of the Census, 1946, \$11,385.

##### Coast and Geodetic Survey:

Working fund, Commerce, Coast and Geodetic Survey, \$4,816.65.

Working fund, Commerce, Coast and Geodetic Survey, 1942-1946, \$8.11.

52 Stat. 819.

Post, p. 550.

## National Bureau of Standards:

Working fund, Commerce, Standards, 1942–1946, \$12,335.69.

Working fund, Commerce, Standards, 1946, \$84,345.

Working fund, Commerce, Standards, \$365.22.

Station for broadcasting standard frequencies, National Bureau of Standards, \$1,000.

## DEPARTMENT OF THE INTERIOR

## Bureau of Indian Affairs:

Purchase of land for Navajo Indians, Arizona (reimbursable), \$308.02.

Construction, irrigation systems, Indian Service (reimbursable), \$9,865.90.

Construction, buildings and utilities, Indian Service, \$131,407.71.

Support of Wisconsin Band of Potawatomie, Wisconsin and Michigan (reimbursable), \$500.21.

Working fund, Interior, Indians, \$25,538.66.

Working fund, Department of the Interior, subsistence, homestead project, \$2,092.97.

## Bureau of Mines:

Reduction of zinc concentrates with methane gas, Bureau of Mines (national defense), \$4,133.

Drainage tunnel, Leadville, Colorado, \$29,081.

Working fund, Interior, Mines (Office of Scientific Research and Development), 1946, \$130,000.

Working fund, Interior, Mines, Army, Engineer Service, 1942–1946, \$43,905.

## National Park Service:

Roads and trails, national parks, emergency construction, Act of June 19, 1934, \$22.

Working fund, Interior, National Park Service (advance from War Department), \$14,000.

Government in the Territories: Emergency fund, Territories and island possessions (national defense), \$121,000.

## DEPARTMENT OF JUSTICE

## Federal Prison System:

Buildings and equipment, penal institutions, \$865,000.

United States Industrial Reformatory, Chillicothe, Ohio, construction, \$89.71.

United States Northeastern Penitentiary, Lewisburg, Pennsylvania, construction, \$1,636.78.

Public Works Administration, Act of 1938 (allotment to Justice, prisons), \$1,702.52.

Federal jails, buildings, and equipment (Sandstone), \$370.35.

Working fund, Justice, prisons, \$149,729.70.

52 Stat. 816.

## DEPARTMENT OF LABOR

## Office of the Secretary:

Veterans' housing, Office of Administrator, National Housing Agency (transfer to Labor), \$3,368.

Migration of workers, War Manpower functions, Department of Labor, 1944, \$652,376.

Migration of workers, War Manpower functions, Department of Labor, 1945, \$4,884.

Bureau of Labor Statistics: Working fund, Labor, Labor Statistics (advance from National Housing Agency), \$237.68.

National Wage Stabilization Board: Salaries and expenses, National Wage Stabilization Board, Department of Labor, 1947, \$1,191,900.

#### NAVY DEPARTMENT

##### Bureau of Supplies and Accounts:

Naval working fund, \$50,000,000.

Naval procurement fund, \$50,000,000.

Strategic and critical materials, Navy, \$94.

Reserve material, Navy, \$62,800.

##### Bureau of Yards and Docks:

Public works, Bureau of Yards and Docks, 1947, \$15,108,514: *Provided*, That hereafter no obligations shall be incurred against the contract authorization provided under this head prior to July 1, 1946.

Increase and replacement of naval vessels: Repair facilities, Navy, \$4,000,000.

*Post*, p. 79.

#### TREASURY DEPARTMENT

Bureau of Accounts: Emergency relief, liquidation fund, \$1,280,000.

Bureau of Federal Supply: Working capital fund, duplicating services, Procurement Division, \$1,323,480.02.

##### Coast Guard:

Acquisition of vessels and shore facilities, Coast Guard, \$9,624,066.

Emergency construction, vessels and shore facilities, Coast Guard, \$184,225.

Establishing and improving aids to navigation, Coast Guard, \$59,279.

Special projects, aids to navigation, Coast Guard, \$36,106.

Special projects, vessels, Coast Guard, \$37,470.

Special projects, aids to navigation, Lighthouse Service, Coast Guard, \$3,937.

*Post*, p. 187.

*Post*, p. 572.

#### WAR DEPARTMENT

##### Military activities:

Expenses and losses financing war contracts, \$15,000,000.

Acquisition of land, West Point, unexpended balance.

Acquisition of land, San Bernardino, Kern, and Los Angeles Counties, California, unexpended balance.

Acquisition of land, Panama, Army, unexpended balance.

Acquisition of land, Buchanan, Puerto Rico, unexpended balance.

Acquisition of land, Act of June 20, 1940, unexpended balance.

Sites for military purposes, unexpended balance.

Construction of buildings, utilities, and appurtenances, military posts, \$17,567,069.

Buildings for United States representatives, Philippine Islands, unexpended balance.

Emergency fund for the President, national defense housing (allotment to War), unexpended balance.

Community facilities, defense public works, Office of Administrator, Federal Works Agency (transfer to War), \$221,855.

National defense housing, War maintenance, and so forth, unexpended balance.

*Post*, p. 625.

Emergency fund for the President, defense housing, temporary shelter, War, Federal Public Housing Authority, maintenance, unexpended balance.

National defense housing, War, Office of Administrator, Federal Works Agency, maintenance, and so forth, unexpended balance.

Repair of arsenals, emergency construction, unexpended balance.

Seacoast defenses, general, \$130,619.

Seacoast defenses, \$106,468.

Seacoast defenses, Panama Canal, \$642,905.

### TITLE III—GENERAL PROVISIONS

SEC. 301. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

SEC. 302. This Act may be cited as the "Urgent Deficiency Appropriation Act, 1947".

Approved March 22, 1947.

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

Affidavit.

Penalty.

Short title.

#### [CHAPTER 21]

#### AN ACT

To provide for payment and settlement of mileage and other travel allowance accounts of military personnel.

March 26, 1947  
[S. 276]

[Public Law 21]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That payment and settlement of mileage and other travel allowance accounts of all military personnel, when such accounts are authorized to be based on distances between given points, shall be made in accordance with distances established for payment and settlement of mileage accounts of officers pursuant to the provisions of the Act of June 12, 1906, as amended (34 Stat. 246; 10 U. S. C. 870).

Approved March 26, 1947.

## [CHAPTER 22]

## JOINT RESOLUTION

March 27, 1947  
[H. J. Res. 154]  
[Public Law 22]

Making an appropriation for expenses incident to the control and eradication of foot-and-mouth disease and rinderpest.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for expenses necessary to enable the Secretary of Agriculture to control and eradicate foot-and-mouth disease and rinderpest as authorized by the Act of February 28, 1947 (Public Law 8), and the Act of May 29, 1884, as amended by the Act of September 21, 1944 (21 U. S. C. 114a), fiscal year 1947, \$9,000,000, to be available for the purposes of carrying out the provisions of said Public Law 8 until June 30, 1948.

Approved March 27, 1947.

## [CHAPTER 23]

## JOINT RESOLUTION

March 28, 1947  
[S. J. Res. 27]  
[Public Law 23]

Amending the Settlement of Mexican Claims Act of 1942 to provide for the consideration of any claim decided by the General Claims Commission in which the United States filed a petition for rehearing.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Settlement of Mexican Claims Act of 1942, approved December 18, 1942, be amended by adding after section 3 (a), paragraph (6) thereof, the following paragraph:

56 Stat. 1059.  
22 U. S. C. § 662.

“(7) Any claim decided by the General Claims Commission in which the United States filed a petition for rehearing.”

Approved March 28, 1947.

## [CHAPTER 24]

## JOINT RESOLUTION

March 29, 1947  
[H. J. Res. 118]  
[Public Law 24]

To strengthen the common defense by maintaining an adequate domestic rubber-producing industry.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

## FINDINGS OF FACT AND DECLARATION OF POLICY

Rubber.  
*Post*, p. 618.

SECTION 1. (a) Natural rubber, which includes all forms and types of tree, vine, and shrub rubber, is a highly strategic and critical material, deficient and incapable, as a result of climatic conditions in the United States, of sufficient development as a natural resource of the United States in quantities adequate to supply the industrial, military, and naval needs of the country for the common defense. Natural rubber is at present in short supply and is expected to continue in short supply for some months to come, and thus the supplies of natural rubber must be augmented by the use of large quantities of synthetic rubber, a product of chemical synthesis.

60 Stat. 596.  
50 U. S. C. §§ 98-98h.

Congress, in the enactment of the Strategic and Critical Materials Stock Piling Act (Public Law 520, Seventy-ninth Congress), has heretofore declared it the policy of the United States and the purpose of that Act to provide for the acquisition and retention of stocks of strategic and critical materials, including natural rubber, so as to prevent so far as possible a dangerous and costly dependence of the United States upon foreign nations for supplies of these materials in times of national emergency. Further, natural rubber, when stock

piled and held in storage, must be rotated and replaced from time to time by equivalent quantities of fresh material. By reason of the foregoing, a program with respect to rubber must be devised which will supplement that heretofore adopted in the Strategic and Critical Materials Stock Piling Act.

(b) It is the policy of the United States that there shall be maintained at all times in the interest of the national security and common defense, in addition to stock piles of natural rubber which are to be acquired, rotated, and retained pursuant to the Strategic and Critical Materials Stock Piling Act (Public Law 520, Seventy-ninth Congress, approved July 23, 1946), a technologically advanced and rapidly expandable domestic rubber-producing industry of sufficient productive capacity to assure the availability in times of national emergency of adequate supplies of domestically produced rubber to meet the industrial, military, and naval needs of the country.

(c) It is necessary in the public interest and to promote the national defense (1) that Congress make a thorough study and investigation of means of accomplishing such policy through the enactment of permanent legislation, the study and investigation to be completed within such time as will permit the legislation to be enacted, during the first session of the Eightieth Congress; and (2) that, pending the enactment of such permanent legislation, the United States continue allocation, specification, and inventory controls of natural and synthetic rubber and natural and synthetic rubber products and the authority of the United States to manufacture and sell synthetic rubber be continued.

Policy of U. S.

60 Stat. 596.  
50 U. S. C. §§ 93-98h.

Investigation, etc.,  
by Congress.

Continuation of  
controls by U. S.

#### TEMPORARY RETENTION OF CERTAIN EMERGENCY POWERS WITH RESPECT TO RUBBER

SEC. 2. To effectuate the purposes set forth in section 1 (c) hereof—

(a) Notwithstanding the provisions of title XV of the Second War Powers Act, 1942, as amended, title III of such Act and the amendments to existing law made by such title, shall remain in force until the effective date of permanent legislation enacted to accomplish the policy set forth in section 1 (b) hereof, but in no event beyond March 31, 1948, insofar as such provisions authorize allocation, specification, and inventory controls of natural and synthetic rubber and natural- and synthetic-rubber products (including import control of synthetic rubber and natural- and synthetic-rubber products, but excluding import control of natural rubber), and it is hereby directed that, to the extent necessary to accomplish the purposes of this joint resolution, the powers, functions, duties, and authority under the provisions so continued shall be exercised and performed until that date: *Provided*, That the President may continue allocation, specification, and inventory control of natural and synthetic rubber and natural- and synthetic-rubber products and import control of synthetic rubber and natural- and synthetic-rubber products in the public interest and to carry out the purposes of this joint resolution, notwithstanding any changes in the supply or estimated supply of natural rubber.

(b) The powers, functions, duties, and authority of the United States to manufacture (including the conduct of research essential to the development of the synthetic-rubber industry) and sell synthetic rubber shall continue in force until the effective date of permanent legislation enacted to accomplish the policy set forth in section 1 (b) hereof, but in no event beyond March 31, 1948. There shall not be declared as surplus nor shall War Assets Administration dispose of any synthetic-rubber plant and facilities costing the Government in

56 Stat. 187, 177.  
50 U. S. C. app.  
§§ 645, 645a, 633, 1152.  
*Post*, pp. 34, 214,  
322, 946.

Continuation of  
control by President.

Continuation of  
manufacture, etc., of  
synthetic rubber by  
U. S.

Disposal of plants,  
etc., restriction.

Excess of \$5,000,000, until the effective date of permanent legislation enacted to accomplish the policy set forth in section 1 (b) hereof: *Provided*, That there shall be exempt from such disposal limitations the neoprene plant, styrene plants, the petroleum butadiene plant located at Toledo, Ohio, not to exceed two alcohol butadiene plants, and butadiene-styrene type copolymer plants to the extent that the aggregate actual capacity of such copolymer plants remaining in Government ownership shall not be less than six hundred thousand long tons per year. It is hereby directed that the aforesaid powers, functions, duties, and authority of the United States to so manufacture and sell synthetic rubber shall be exercised and performed by Reconstruction Finance Corporation while that Corporation has succession and thereafter by such officer, agency, or instrumentality of the United States as the President may designate: *Provided further*, That nothing herein shall be construed as precluding any other agency of Government from engaging in research authorized by law.

Approved March 29, 1947.

Exemptions.

Exercise by RFC  
of U. S. functions, etc.Research by other  
Government agencies.

## [CHAPTER 25]

## JOINT RESOLUTION

March 29, 1947  
[H. J. Res. 159]  
[Public Law 25]

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes.

Deficiency appro-  
priations, 1947.  
*Post*, p. 113.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes, namely:

## INCREASED PAY COSTS

60 Stat. 35, 203, 216,  
480, 716, 717, 749, 752.  
39 U. S. C. §§ 856a,  
862a, 862b, 867a, 877, 878;  
5 U. S. C. §§ 645a, 645b,  
902 *et seq.*; 28 U. S. C.  
§§ 5, 213, 241, 296, 301,  
324.  
*Post*, pp. 40, 727.

For additional amounts for appropriations for the fiscal year 1947, to meet increased pay costs authorized by the Acts of March 6, 1946 (Public Law 317); May 21, 1946 (Public Law 386); May 24, 1946 (Public Law 390); July 5, 1946 (Public Law 491); July 31, 1946 (Public Laws 567, 568, and 577); and August 1, 1946 (Public Law 582); and other legislation enacted during or applicable to said fiscal year authorizing increases in pay of Government officers and employees, as follows:

## LEGISLATIVE BRANCH

## Senate:

- "Salaries, officers and employees, Senate", \$1,013,725;
- "Salaries and expenses, Joint Committee on Printing, to be disbursed by the Secretary of the Senate", \$5,235;
- "Compiling and preparing a revised edition of the Biographical Directory of the American Congress", \$14,000;
- "Salaries and expenses, legislative counsel", \$15,000;
- "Salaries and expenses, Senate policy committees", \$11,000;
- "Contingent expenses, Senate, reporting debates and proceedings of the Senate", \$19,075;
- "Contingent expenses, Senate, services in cleaning, repairing, and varnishing furniture", \$760;
- "Contingent expenses, Senate, expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers of committees, at such rate as may be fixed by the Committee on Rules and Administration of the Senate, but not exceeding 25 cents per hundred words", \$118,350: *Provided*, That no part of this appropriation shall be expended for per diem and subsistence expenses except in accordance with the provisions of

Restriction.

the Subsistence Expense Act of 1926, approved June 3, 1926, as amended;

44 Stat. 688,  
5 U. S. C. §§ 821-823,  
827-833.

"Contingent expenses, Senate, folding speeches and pamphlets at a rate not exceeding \$1 per thousand", \$5,015;

"Contingent expenses, Senate, maintaining, exchanging, and equipping motor vehicles for carrying the mails and for official use of the offices of the Secretary and Sergeant at Arms", \$790;

"Contingent expenses, Senate, miscellaneous items, exclusive of labor", \$19,640;

"Contingent expenses, Senate, purchase, exchange, driving, maintenance, and operation of two automobiles, one for the majority leader of the Senate and one for the minority leader of the Senate", \$760;

"Contingent expenses, Senate, purchase, exchange, driving, maintenance, and operation of an automobile for the Vice President", \$770;

#### House of Representatives:

"Compensation of officers, clerks, messengers, and others", \$675,000;

"Clerk hire, Members and Delegates", \$1,675,000;

Contingent expenses of the House;

"Furniture", \$17,500;

"Miscellaneous items", \$6,000;

"Joint Committee on Internal Revenue Taxation", \$37,500;

"Folding documents", \$10,000;

"Preparing and editing a new edition of the Code of Laws", \$12,000;

"Clerk's office, special assistance", \$1,000;

"Speaker's automobile", \$1,200;

"Capitol Police Board", \$300;

Office of Legislative Counsel: "Salaries and expenses", \$10,000;

Architect of the Capitol:

Office of the Architect of the Capitol: "Salaries", \$9,176;

Capitol Buildings and Grounds:

"Capitol Buildings", \$56,173;

"Capitol Grounds", \$17,882;

"Legislative garage", \$3,297;

"Senate Office Building", \$52,898;

"House Office Buildings", \$72,456;

"Capitol power plant", \$50,478;

Library Buildings and Grounds:

"Salaries", \$23,583;

"Salaries, Sunday opening", \$1,850;

Botanic Garden: "Salaries", \$20,298;

*Post*, p. 114.

#### THE JUDICIARY

United States Supreme Court:

"Salaries", \$97,000;

"Structural and mechanical care of the building and grounds", \$18,631;

Court of Customs and Patent Appeals: "Salaries and expenses", \$28,315;

United States Customs Court: "Salaries and expenses", \$41,250;

Miscellaneous items of expense:

"Salaries of judges", \$1,164,000;

"Salaries of clerks of courts", \$190,000;

"Probation system, United States courts", \$78,000;

"Salaries of criers", \$11,800;

"Fees of commissioners", \$95,000;



Administrative Office of the United States Courts: "Salaries", \$40,000;

#### EXECUTIVE OFFICE OF THE PRESIDENT

Executive Mansion and grounds: "Care, maintenance, repair, and alteration", \$18,250;

Bureau of the Budget: "Salaries and expenses", \$350,500;

Office for Emergency Management:

Office of Defense Transportation: "Salaries and expenses", \$62,400;

Office of Scientific Research and Development: "Salaries and expenses", \$48,800;

#### INDEPENDENT OFFICES

Federal Trade Commission: "Salaries and expenses", \$281,000;

Interstate Commerce Commission:

"General expenses", \$793,100;

"Railroad safety", \$56,500;

"Locomotive inspection", \$52,100;

National Advisory Committee for Aeronautics: "Salaries and expenses", \$1,040,000;

National Capital Housing Authority: "Maintenance and operation", \$1,550;

National Mediation Board:

"Salaries and expenses", \$16,000;

National Railroad Adjustment Board: "Salaries and expenses", \$19,000;

Panama Railroad Company: "Administrative expenses" (increase of \$85,000 in the limitation upon the amount of the corporate funds which may be used for administrative expenses);

Railroad Retirement Board:

"Salaries", \$304,000;

"Miscellaneous expenses (other than salaries)", \$31,000;

Securities and Exchange Commission: "Salaries and expenses", \$572,000;

Smithsonian Institution:

"Salaries and expenses", \$180,400;

"Salaries and expenses, National Gallery of Art", \$101,000;

The Tax Court of the United States: "Salaries and expenses", \$123,500;

Veterans' Administration: "Administration, medical, hospital, and domiciliary services", \$48,272,500;

#### FEDERAL WORKS AGENCY

Public Buildings Administration:

"General administrative expenses", \$201,500;

"Salaries and expenses, public buildings and grounds in the District of Columbia and adjacent area", \$2,996,000;

"Salaries and expenses, public buildings and grounds outside the District of Columbia", \$1,123,600;

#### POST OFFICE DEPARTMENT

(Out of the Postal Revenues)

Post Office Department, Washington, District of Columbia:

Office of the Postmaster General: "Salaries", \$44,700;

Salaries in bureaus and offices:

"Office of Budget and Administrative Planning", \$6,300;

"Office of the First Assistant Postmaster General",  
 \$137,900;  
 "Office of the Second Assistant Postmaster General,"  
 \$110,900;  
 "Office of the Third Assistant Postmaster General",  
 \$158,200;  
 "Office of the Fourth Assistant Postmaster General", *Post*, p. 69.  
 \$78,000;  
 "Office of the Solicitor for the Post Office Department",  
 \$21,000;  
 "Office of the Chief Inspector", \$31,300;  
 "Office of the purchasing agent", \$9,800;  
 "Bureau of Accounts", \$77,100;  
 Field Service, Post Office Department:  
 Office of Chief Inspector:  
 "Salaries of inspectors", \$263,700;  
 "Clerks", \$149,600;  
 Office of the First Assistant Postmaster General:  
 "Compensation to postmasters", \$12,701,900;  
 "Compensation to assistant postmasters", \$1,260,000;  
 "Clerks, first- and second-class post offices", \$74,221,400;  
 "Clerks, third-class post offices", \$5,954,000;  
 "Miscellaneous items, first- and second-class post offices",  
 \$200,400;  
 "Village delivery service", \$51,600;  
 "City delivery carriers", \$42,981,200;  
 "Special-delivery compensation and fees", \$1,488,000;  
 "Rural Delivery Service", \$13,793,900;  
 Office of the Second Assistant Postmaster General: "Railway  
 Mail Service", \$13,055,200;  
 Office of the Third Assistant Postmaster General: "Manufac-  
 ture and distribution of stamps and stamped paper", \$3,600;  
 Office of the Fourth Assistant Postmaster General:  
 "Post office stationery, equipment, and supplies", \$26,600;  
 "Equipment shops, Washington, District of Columbia",  
 \$193,800;  
 "Pneumatic-tube service, New York City and Boston",  
 \$61,300;  
 "Vehicle Service", \$2,486,300;  
 Public Buildings, maintenance and operation: "Operating  
 force", \$7,074,700;

## DISTRICT OF COLUMBIA

## General administration:

"Executive office", \$18,700;  
 "Office of the corporation counsel", \$15,600;  
 "Board of Tax Appeals", \$1,700;

## Fiscal Service:

"Assessor's office", \$51,700;  
 "Collector's office", \$14,400;  
 "Auditor's office", \$40,500;  
 "Purchasing division", \$10,000;

## Regulatory agencies:

"Alcoholic Beverage Control Board", \$5,700;  
 "Board of Indeterminate Sentence and Parole", \$4,800;  
 "Coroner's office", \$3,700;  
 "Department of Insurance", \$3,800;  
 "Department of Weights, Measures, and Markets", \$9,700;  
 "License Bureau", \$3,300;

"Minimum Wage and Industrial Safety Board", \$5,700;  
"Office of Administrator of Rent Control", \$11,500;  
"Office of Recorder of Deeds", \$26,400;  
"Poundmaster's office", \$3,100;  
"Public Utilities Commission", \$12,200;  
"Zoning Commission", \$2,300;  
Public Schools:  
Operating expenses:  
    "General administration", \$45,000;  
    "General supervision and instruction", \$1,540,000;  
    "Vocational education, George-Deen program", \$21,000;  
    "Operation of buildings and maintenance of equipment",  
    \$200,000;  
Public Library: "Operating expenses", \$99,500;  
Recreation Department: "Operating expenses", \$43,300;  
Metropolitan Police: "Salaries and expenses", \$553,500;  
"Fire Department", \$397,600;  
Courts:  
    "Juvenile court", \$14,200;  
    "Municipal court", \$43,200;  
    "Municipal court of appeals", \$4,100;  
    "Probation system", \$1,700;  
    "Office of Register of Wills", \$11,100;  
    "Commission on Mental Health", \$4,300;  
Health Department:  
    "Operating expenses, Health Department (excluding hospitals)", \$158,400;  
    "Operating expenses, Glenn Dale Tuberculosis Sanatorium",  
    \$20,000;  
Department of Corrections:  
    Adult Correctional Service: "Operating expenses", \$163,000;  
Public Welfare:  
    "Office of the Director", \$10,900;  
    Family Welfare Service:  
        "Operating expenses, child care", \$15,800;  
        "Public assistance and children's services", \$32,900;  
        "Operating expenses, institutions for the indigent", \$14,700;  
    Juvenile Correctional Service: "Operating expenses", \$16,100;  
    Mental Rehabilitation Service:  
        "Operating expenses, District Training School", \$48,500;  
        "Deportation nonresident insane", \$2,200;  
Public Works:  
    "Office of chief clerk", \$6,400;  
    "Office of Municipal Architect", \$11,100;  
    "Operating expenses, Office of Superintendent of District  
Buildings", \$51,600;  
    "Surveyor's office", \$4,600;  
    "Department of Inspections", \$54,100;  
    "Central garage", \$4,200;  
    "Department of Vehicles and Traffic (payable from highway  
fund)", \$14,900;  
    "Reimbursements of other appropriations (payable from high-  
way fund)", \$109,500;  
    "Operating expenses, Refuse Division", \$30,700;  
    "Operating expenses, Sewer Division", \$39,500;  
    "Operating expenses, Water Division (payable from water  
fund)", \$38,000;  
Washington aqueduct: "Operating expenses (payable from water  
fund)", \$25,000;

"National Capital Parks", \$87,600;  
 "National Capital Park and Planning Commission", \$4,700;  
 "National Zoological Park", \$39,100.

## DIVISION OF EXPENSES

The sums appropriated in this Act for the District of Columbia shall, unless otherwise specifically provided, be paid out of the general fund of the District of Columbia, as defined in the District of Columbia Appropriation Act, 1947.

SEC. 2. The restrictions contained within appropriations or affecting appropriations or other funds, available during the fiscal year 1947, limiting the amounts which may be expended for personal services or for other purposes involving personal services, or amounts which may be transferred between appropriations or authorizations, are hereby waived with respect to the foregoing items to the extent necessary to meet increased pay costs authorized by the Acts of March 6, 1946 (Public Law 317), May 21, 1946 (Public Law 386), May 24, 1946 (Public Law 390), July 5, 1946 (Public Law 491), July 31, 1946 (Public Laws 567, 568, and 577), and August 1, 1946 (Public Law 582), and other legislation enacted during or applicable to the fiscal year 1947 authorizing increased pay for civilian employees of the Government.

Approved March 29, 1947.

## [CHAPTER 26]

## AN ACT

To establish an Office of Selective Service Records to liquidate the Selective Service System following the termination of its functions on March 31, 1947, and to preserve and service the Selective Service records, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby established an Office of Selective Service Records, to be headed by a Director who shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate of \$10,000 per year.

SEC. 2. The functions, duties, and responsibilities of the Office of Selective Service Records shall be (a) to liquidate the Selective Service System, which liquidation shall be completed as rapidly as possible after March 31, 1947, but in any event not later than March 31, 1948, except as herein provided; (b) to preserve and service the records of Selective Service; and (c) to perform such other duties relating to the preservation of records, knowledge, and methods of Selective Service, not inconsistent with law.

SEC. 3. The unexpended balances of funds available to the Selective Service System are hereby made available to the Office of Selective Service Records for the purposes of this Act and such additional appropriations as are necessary therefor are hereby authorized.

SEC. 4. All property, records, and personnel of the Selective Service System are hereby transferred to the Office of Selective Service Records and authority is hereby granted to the Director of the Office of Selective Service Records to transfer, without reimbursement, and with the approval of the War Assets Administration, to the National Guard in the several States, the District of Columbia, and Territories and possessions of the United States, or to the Organized Reserves of the armed forces, surplus property of the Selective Service System.

District of Columbia.

60 Stat. 501.

Waiver of restrictions.

60 Stat. 35, 203, 216, 480, 716, 717, 749, 752.  
 39 U. S. C. §§ 850a, 862a, 862b, 867a, 877, 878; 5 U. S. C. §§ 645a, 645b, 902 *et seq.*; 28 U. S. C. §§ 5, 213, 241, 296, 301, 324.  
*Post*, pp. 40, 727.

March 31, 1947

[S. 918]

[Public Law 26]

Office of Selective Service Records.  
 Director; compensation.

Functions, etc., of Office.  
 Liquidation of Selective Service System.

Availability of funds.

Appropriations authorized.  
*Post*, pp. 108, 617.  
 Transfer of property, etc.

Transfer of func-  
tions, etc.  
Post, p. 621.  
60 Stat. 342.  
50 U. S. C. app.  
§ 316 (b).

54 Stat. 891.  
50 U. S. C. app.  
§ 308 (g).

58 Stat. 294.  
38 U. S. C. § 695 (a).

58 Stat. 294.  
38 U. S. C. § 695 (c).

Authority of Direc-  
tor.

42 Stat. 1488.  
5 U. S. C. §§ 661-674.

Voluntary services.

Fiscal, disbursing,  
and accounting agent.

Assignment of offi-  
cer or employee with-  
out loss of status.

Individual confiden-  
tial records.

SEC. 5. (a) Pursuant to the third sentence of section 7 of Public Law 473, approved June 29, 1946, all functions and responsibilities of the Personnel Division, National Headquarters, Selective Service System, established under authority of section 8 (g) of the Selective Training and Service Act of 1940, as amended, together with so much of the records of the Selective Service System, and so much of the unexpended balances of appropriations of the Selective Service System, as the Director of the Bureau of the Budget may determine to relate primarily to such functions, are hereby transferred, effective March 29, 1947, from the Selective Service System to the Secretary of Labor.

(b) The second sentence of section 600 (a) of Public Law 346, approved June 22, 1944, is hereby amended by substituting the words "Director of the Office of Selective Service Records" for the words "Director of the National Selective Service System".

(c) Section 600 (c) of Public Law 346, approved June 22, 1944, is hereby amended by substituting the words "Office of Selective Service Records" for the words "Veterans' Personnel Division, National Selective Service System".

SEC. 6. (a) The Director is authorized—

(1) to prescribe the necessary rules and regulations to carry out the provisions of this Act;

(2) to create and establish, on the date hereinafter specified, Federal record depots in the several States, the District of Columbia, Territories, and possessions of the United States, and to maintain such other offices as may be necessary for the purposes of this Act;

(3) to utilize the agencies of the Federal Government with the consent of the heads thereof, and to accept the services of all officers and agents of the several States, the District of Columbia, Territories, and possessions of the United States, and subdivisions thereof, in the execution of this Act;

(4) to appoint and fix the compensation of such officers and employees (not to exceed 1,200 in number by November 1, 1947), as may be necessary for the purposes of this Act, with or without regard to the Classification Act of 1923, as amended: *Provided*, That the compensation of such persons shall not be in excess of that provided in said Act;

(5) to delegate and provide for the delegation of any authority vested in him under this Act to such officers, agents, or persons as he may designate or appoint for such purpose or as may be designated or appointed for such purpose pursuant to such rules and regulations as he may prescribe.

(b) In the administration of this Act voluntary services may be accepted.

(c) The Chief of Finance, United States Army, is hereby designated, empowered, and directed to act as the fiscal, disbursing, and accounting agent of the Director of the Office of Selective Service Records in carrying out the provisions of this Act.

(d) Any officer on the active or retired list of the Army, Navy, Marine Corps, or Coast Guard, or of any Reserve component thereof, or any officer or employee of any department or agency of the United States who may be assigned or detailed to any office or position to carry out the provisions of this Act may serve in and perform the functions of such office or position without loss of or prejudice to his status as such officer in the Army, Navy, Marine Corps, or Coast Guard or Reserve component thereof, or as such officer or employee in any department or agency of the United States.

SEC. 7. The Director is authorized to prescribe such rules and regulations as may be necessary to preserve the confidential nature of the

individual confidential records previously obtained under the Selective Training and Service Act of 1940, as amended. Any person charged with the duty of carrying out any of the provisions of this Act, and who fails to carry out such provisions or who shall knowingly violate the regulations promulgated under this section, or any person or persons who shall unlawfully obtain, gain access to, or use such records, shall, upon conviction in the district court of the United States having jurisdiction thereof, be punished by imprisonment for not more than five years, or a fine of not more than \$10,000, or by both such fine and imprisonment, or if subject to military or naval law, may be tried by court martial, and, on conviction, shall suffer such punishment as the court martial may direct.

SEC. 8. Except as provided in this Act, all laws and parts of laws in conflict with the provisions of this Act are hereby suspended to the extent of such conflict for the period in which this Act shall be in force.

SEC. 9. Except as otherwise provided by the terms of this Act, the provisions hereof shall take effect at 12 o'clock postmeridian, March 31, 1947.

Approved March 31, 1947.

#### [CHAPTER 27]

#### JOINT RESOLUTION

Authorizing the Commandant of the United States Coast Guard to waive compliance with the navigation and vessel-inspection laws administered by the Coast Guard.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled.* That effective April 1, 1947, the Commandant, United States Coast Guard, is authorized to waive compliance with the navigation and vessel-inspection laws administered by the Coast Guard to the extent and in such manner and upon such terms as may be deemed necessary by him in the orderly reconversion of the merchant marine from wartime to peacetime operations.

SEC. 2. The authority granted by this resolution shall remain in force only until April 1, 1948: *Provided*, That after June 1, 1947, the Commandant shall not waive compliance with those sections of the navigation and vessel-inspection laws requiring the employment of American citizens as officers and crew members and limiting the employment of aliens except insofar as such employment shall be in the steward's department of vessels authorized to carry in excess of twelve passengers.

Approved March 31, 1947.

#### [CHAPTER 28]

#### AN ACT

To provide for the suspension of navigation and vessel inspection laws, as applied to vessels operated by the War Department, upon the termination of title V, Second War Powers Act, 1942, as amended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.* That upon the termination of title V of the Second War Powers Act, 1942, as last amended by the Act of June 29, 1946 (Public Law 475, Seventy-ninth Congress), and upon request of the Secretary of War to the head of each department or agency responsible for the administration of navigation and vessel inspection laws, the operation of all such laws of which suspension is so requested shall be suspended in relation to

54 Stat. 885.  
50 U. S. C. app.  
§§ 301-318.  
Violation of regulations.

Penalty.

Suspension of conflicting laws.

Effective date.

March 31, 1947  
[H. J. Res. 76]  
[Public Law 27]

U. S. Coast Guard.  
Waiver of compliance with designated laws.

Time limitations.  
*Post*, p. 685.

March 31, 1947  
[H. R. 1240]  
[Public Law 28]

56 Stat. 180; 60 Stat. 345.  
50 U. S. C. app. §§ 635, 645.  
*Post*, pp. 34, 214, 322.

Time limitation.

all vessels operated by the War Department as to which such suspension has been requested: *Provided*, That such suspension shall be effective only until December 31, 1947.

Approved March 31, 1947.

[CHAPTER 29]

AN ACT

March 31, 1947  
[S. 931]

[Public Law 29]

To extend certain powers of the President under title III of the Second War Powers Act.

First Decontrol Act of 1947.  
*Post*, p. 321.

Removal of emergency controls, etc.

56 Stat. 176.  
50 U. S. C. app. §§ 631-645a.  
*Ante*, p. 25; *infra*; *post*, pp. 214, 322, 946.  
Authority in limited instances.

Liquidation, etc.

56 Stat. 187.  
50 U. S. C. app. § 645.  
*Post*, pp. 214, 322, 946.  
Time limitations.

56 Stat. 176-180, 181, 186.  
50 U. S. C. app. §§ 631-635, 637, 641-644b.

56 Stat. 177.  
50 U. S. C. app. § 633.  
Allocations.

Restriction.

Designation of earlier time for termination.

Sugar, rubber, or derivatives.

Force and effect of designated amendments.

54 Stat. 676; 55 Stat. 236.  
50 U. S. C. app. § 1152(a).

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That this Act shall be cited as the "First Decontrol Act of 1947."

SEC. 2. The Congress hereby declares that it is vital to a free economy and full production in the United States that all emergency controls and war powers under the Second War Powers Act be removed except in certain limited instances.

The Congress further declares that in each such limited instance the authority for such emergency controls and war powers should not be exercised by the grant of broad, general war powers but should be granted by restrictive, specific legislation.

SEC. 3. For the purpose of liquidating existing emergency controls and war powers and for the purpose of affording further opportunity for the appropriate committees of the Congress to consider specific legislation granting restricted authority in limited instances, title XV, section 1501, of the Second War Powers Act, 1942, approved March 27, 1942, as amended, is amended to read as follows:

"SEC. 1501. Except as otherwise provided by statute enacted during the first session of the Eightieth Congress on or before the date this section as amended takes effect, titles I, II, III, IV, V, VII, and XIV of this Act and the amendments to existing law made by such titles shall remain in force only until March 31, 1947, except that such title III, and the amendments to existing law made by such title, shall remain in force until June 30, 1947, for the following purposes: (a) Allocations of cinchona bark and cinchona alkaloids, manila (abaca) fiber and cordage, agave fiber and cordage, tin and tin products, antimony and streptomycin; (b) allocations limited to control of production for export of tractors; (c) allocations of the use of transportation equipment and facilities by rail carriers; (d) allocations of materials or facilities for export which are required to expand the production in foreign countries of materials critically needed in the United States; (e) allocations of materials or facilities which are certified by the Secretaries of State and Commerce as necessary to meet international commitments: *Provided*, That any materials or facilities which were not being allocated on March 24, 1947, shall not be allocated hereafter under the provisions of such title III: *Provided further*, That the two Houses of Congress by concurrent resolution or the President may designate an earlier time for the termination of any power of allocation under such title: *Provided further*, That nothing herein contained shall be construed to continue beyond March 31, 1947, any authority to allocate sugar, rubber, or the derivatives thereof. After the amendments made by any such title cease to be in force, any provisions of law amended thereby (except subsection (a) of section 2 of the Act entitled 'An Act to expedite national defense, and for other purposes', approved June 28, 1940, as amended by the Act of May 31, 1941) shall be in full force and effect as though this Act had not been enacted."

Approved March 31, 1947.

## [CHAPTER 30]

## JOINT RESOLUTION

To extend the powers and authorities under certain statutes with respect to the distribution and pricing of sugar, and for other purposes.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That* (a) notwithstanding any other provisions of law, the Emergency Price Control Act of 1942 (56 Stat. 23); the Stabilization Act, 1942 (56 Stat. 765); title III of the Second War Powers Act, 1942 (56 Stat. 177), and the amendment to existing law made thereby; title XIV of the Second War Powers Act, 1942 (56 Stat. 177); and section 6 of the Act of July 2, 1940 (54 Stat. 714), all as amended and extended, shall continue in effect with respect to sugar to and including October 31, 1947, except that authority to continue inventory controls over other than household users may be exercised to and including March 31, 1948: *Provided, however, That—*

(1) the authority contained herein shall not be deemed (i) to permit the allocation or rationing of any product (other than the allocation of such product imported or brought into the continental United States) unless a regulation providing for allocation or rationing thereof was in effect on February 18, 1947, or (ii) to permit price control over any product unless a price-control regulation with respect thereto was in effect on February 18, 1947;

(2) no person shall be subject to any criminal penalty or civil liability, under any provision of law referred to above, on account of any act or omission which is made unlawful by section 4 of this Act;

(3) no provision of section 204 (d) or (e) of the Emergency Price Control Act of 1942, as amended, shall apply (i) in any proceeding, involving a regulation or order with respect to sugar, in which an injunction or other order of a court is hereafter applied for, or (ii) in any proceeding, under section 37 of the Criminal Code, which is based on a conspiracy involving any act or omission which is made unlawful by section 4 of this Act;

(4) in the case of any regulation or order with respect to sugar, no protest may be hereafter filed under section 203 of the Emergency Price Control Act of 1942, as amended; and

(5) hereafter no person shall be required to secure a license, and no license shall be issued to any person, under section 205 of the Emergency Price Control Act of 1942, as amended, for the purpose of providing for the enforcement of any regulation or order relating to sugar.

(b) The Secretary of Agriculture, in exercising the powers, functions, and duties transferred to him by section 3 of this Act—

(1) may allocate sugar without regard to the provisions of title II of the War Mobilization and Reconversion Act of 1944 (58 Stat. 787);

(2) shall allocate refined sugar for home consumption at a rate of not less than thirty-five pounds per capita per calendar year, and any increase in the amount of sugar available for allocation in the calendar year 1947 over the amount recommended by the International Emergency Food Council for allocation to the United States for 1947 shall be allocated for home consumption until the allocation for such use equals fifty pounds of refined sugar per capita; and

(3) shall, in a manner consistent with the maintenance of an effective national allocation and rationing program, make available, for other than provisional-allotment users, not less than

March 31, 1947  
[H. J. Res. 146]  
[Public Law 30]

Sugar Control Extension Act of 1947.  
*Post*, p. 922.

50 U. S. C. app. §§ 901-946, 961-971, 633.  
*Post*, p. 619.

56 Stat. 186.  
50 U. S. C. app. §§ 644-644b, 701.  
*Post*, pp. 214, 323, 946.  
Inventory controls.

Restrictions.

56 Stat. 32; 58 Stat. 639.  
50 U. S. C. app. § 924 (d), (e).  
*Post*, p. 619.  
35 Stat. 1096.  
18 U. S. C. § 88.

56 Stat. 31.  
50 U. S. C. app. § 923.  
*Post*, p. 619.

56 Stat. 33.  
50 U. S. C. app. § 925.  
*Post*, p. 619.

Allocations, etc., by Secretary of Agriculture.

50 U. S. C. app. §§ 1656-1660.



twelve thousand five hundred tons of refined sugar during the period from the date of the enactment of this Act to and including June 30, 1947, and not less than twelve thousand five hundred tons of refined sugar during the period from July 1, 1947, to and including October 31, 1947, to provide for the needs of hardship cases, for the needs of new industrial-sugar users (with particular reference to the needs of shortage areas caused by population shifts) and for the needs of those who have an insufficient base period history to operate currently at competitive levels (and shall consider, as a determining factor in those cases where there is such insufficient base period history, the rate of growth of such user prior to the base period year).

Removal of controls.

SEC. 2. Prior to the expiration of the authority granted by this Act, the Secretary of Agriculture is hereby authorized and directed to remove any or all controls with respect to any product over which control is authorized by this Act when he determines that the supplies of sugar are sufficient to warrant such action.

Transfer of functions, etc., to Secretary of Agriculture.

56 Stat. 177; 54 Stat. 714; 56 Stat. 23, 765.

50 U. S. C. app. §§ 633, 701, 901-946, 961-971.

*Ante*, p. 25; *post*, pp. 214, 323, 619, 946.

SEC. 3. (a) The powers, functions, and duties of (1) the President under title III of the Second War Powers Act, 1942, and the amendment to existing law made thereby; (2) the President or any executive department under section 6 of the Act of July 2, 1940; (3) the Price Administrator under the Emergency Price Control Act of 1942; and (4) the President and the Price Administrator under the Stabilization Act of 1942, all as amended and extended (and irrespective of what officer, department, or agency may be now exercising any such power, function, or duty) are, insofar as they relate to sugar, hereby transferred to and shall be executed by the Secretary of Agriculture.

Continuation of orders, etc.

(b) Every order, directive, rule or regulation relating to any power, function, or duty transferred by subsection (a) of this section, issued by any officer, department, or agency heretofore performing such power, function, or duty, which is not in conflict with the provisions of this Act and which is in effect on the date of the enactment of this Act, shall continue in full force and effect, according to its terms, unless and until modified or rescinded by the Secretary of Agriculture.

Transfer of funds, etc.

(c) So much of the unexpended balances of appropriations, allocations, or other funds, and the property, available for the use of any officer, department, or agency in the exercise of any power, function, or duty transferred by subsection (a) of this section or for the use of the Secretary of Agriculture in the exercise of any power, function, or duty so transferred, as the Director of the Bureau of the Budget shall determine, shall be transferred for use in connection with the exercise of such powers, functions, or duties. In determining the amount to be transferred, the Director of the Bureau of the Budget may include an amount to provide for the liquidation of obligations incurred against such balances of appropriations, allocations, or other funds prior to the transfer. Such personnel as the Director of the Bureau of the Budget determines to be required may also be transferred temporarily to the Department of Agriculture pending termination of the powers, functions, and duties transferred by subsection (a) of this section. The annual and sick leave of personnel so transferred shall be transferred with them; and they shall be entitled to the benefits of section 14 of the Veterans' Preference Act of 1944 to the same extent and effect as though they had remained employees of the agency from which transferred until the termination of such powers, functions, and duties. Any personnel so transferred shall not, by virtue of their temporary employment in the Department of Agriculture, acquire or be entitled to any right to employment in such Department in connection with the exercise of any power, function, or

Liquidation of obligations.

Temporary transfer of personnel.

58 Stat. 390.  
5 U. S. C. § 863.  
*Post*, p. 723.

duty other than one transferred under this Act. There are authorized to be appropriated to the Secretary of Agriculture such sums as may be necessary to carry out the provisions of this Act.

Appropriations authorized.  
*Post*, pp. 245, 618.

SEC. 4. (a) It shall be unlawful for any person to do or omit to do any act, in violation of any order, directive, rule, or regulation continued in effect by section 3 (b) of this Act or issued in the exercise of any power, function, or duty transferred by section 3 (a) of this Act.

Violation of order, etc.

(b) It shall be unlawful for any officer or employee of the Government, or for any adviser or consultant to the Secretary of Agriculture in his official capacity, to disclose, otherwise than in the course of official duty, any information obtained under this Act, or to use any such information, for personal benefit.

Disclosure of information, etc.

(c) Any person who willfully violates any provision of this section shall, upon conviction thereof, be subject to a fine of not more than \$5,000, or to imprisonment for not more than two years in the case of a violation of subsection (b) and for not more than one year in all other cases, or to both such fine and imprisonment.

Penalties.

SEC. 5. As used in this Act—

(a) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing: *Provided*, That no punishment provided by this Act shall apply to the United States, or to any such government, political subdivision, or agency.

"Person."

(b) The term "sugar" means any grade or type of saccharine product derived from sugarcane, sugar beets, or corn, including liquid sugar, sirups, molasses, or mixtures thereof, and sugar-containing products, which contain sucrose, dextrose, or levulose.

Nonapplicability of punishment.

"Sugar."

SEC. 6. (a) Section 2 (a) of the Administrative Procedure Act, as amended, is amended by inserting after "Surplus Property Act of 1944;" the following: "Sugar Control Extension Act of 1947;"

60 Stat. 237.  
5 U. S. C. § 1001(a).  
*Post*, p. 201.

(b) This Act may be cited as the "Sugar Control Extension Act of 1947".

Short title.

Approved March 31, 1947.

## [CHAPTER 31]

### AN ACT

To authorize the Secretary of War to lend War Department equipment and provide services to the Boy Scouts of America in connection with the World Jamboree of Boy Scouts to be held in France, 1947; and to authorize the Commissioner of Internal Revenue to provide exemption from transportation tax; and further to authorize the Secretary of State to issue passports to bona fide Scouts and Scouters without fee for the application or the issuance of said passports.

April 14, 1947  
[H. R. 1621]  
[Public Law 31]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War be, and he is hereby, authorized to lend, at his discretion, to the National Council, Boy Scouts of America, for use at the World Jamboree, Boy Scouts, to be held in France, in the months of July and August 1947, the following: two hundred and twenty-five canvas bags, one thousand two hundred duffel bags, two thousand nine hundred wool blankets, two hundred vinegar bottles, two hundred sugar bowls, one thousand two hundred canvas watering buckets, two hundred and five tent oil-stove burners, twenty-five corrugated nesting galvanized cans (twenty-four gallon), two hundred and ten corrugated nesting galvanized cans (thirty-two gallon), one thousand two

World Jamboree of  
Boy Scouts.  
Loan of War Department equipment.

hundred meat cans, two hundred five-gallon water cans, one thousand two hundred aluminum canteens, two hundred and twenty-five flag cases, one thousand three hundred folding chairs, two hundred alarm clocks, one hundred round insulated containers, one thousand two hundred and fifty folding canvas cots, one thousand two hundred canteen covers, one thousand two hundred aluminum canteen cups, ten empty field desks, twenty-five five-gallon gasoline drums, ten fifty-five-gallon gasoline drums, two hundred and twenty-five national standard flags, two hundred and twenty-five wooden flagstaffs, one thousand five hundred forks, one hundred halazone tablets (bottles), twenty-five immersion type for can heaters, one thousand five hundred knives, two hundred and twenty-five gasoline lanterns, one stencil duplicating machine, two thousand eight hundred and fifty pillowcases, one thousand two hundred and fifty feather pillows, five hundred sirup pitchers, three hundred water pitchers, two hundred mustard pots, two hundred stock pots, seven field ranges, twenty-five latrine screens, ten field safes, two hundred pepper shakers, two hundred salt shakers, one hundred and sixty cotton bed sheets, one thousand five hundred spoons, two hundred and five tent stoves, ten folding camp tables, one hundred and twenty mess tables, three assembly tents, and two hundred squad tents and such other equipment as may be required by the Boy Scouts of America which is available from American stocks: *Provided*, That no expense shall be caused the United States Government by the delivery and return of said property, the same to be delivered at such time prior to the holding of the said jamboree as may be agreed upon by the Secretary of War and the National Council, Boy Scouts of America: *Provided further*, That the Secretary of War before delivering said property shall take from the said Boy Scouts of America a good and sufficient bond for the safe return of said property in good order and condition, and the whole without expense to the United States.

Expense of delivery  
and return.

Bond for safe return.

Transportation.

Deposit of reim-  
bursements.

Nonapplicability of  
certain taxes.  
55 Stat. 721; 56 Stat.  
979.  
26 U. S. C. §§ 3469,  
3475.  
*Ante*, p. 12.

Issuance of pass-  
ports.

SEC. 2. That the Secretary of War is further authorized, at his discretion and without expense to the United States, to provide transportation from the United States and return, on a vessel of the Army Transport Service, to those Boy Scouts of America and Scouters certified by the National Council of the Boy Scouts of America, attending this jamboree. That the amounts paid to the United States to reimburse it for expenses incurred under sections 1 and 2 of this Act shall be deposited to the credit of such of the current appropriations for the support of the Army as bear such expenses, and shall be available for the same purposes as those appropriations.

SEC. 3. The taxes imposed by sections 3469 and 3475, or any comparable sections that may now or during 1947 be in effect, of the Internal Revenue Code, shall not apply to amounts paid for ocean transportation to the persons and property herein and above described attending this jamboree.

SEC. 4. That under such regulations as he may prescribe the Secretary of State be, and he is hereby, authorized to issue passports to bona fide Scouts and Scouters of the Boy Scouts of America who are citizens of the United States or, if not citizens of the United States, who owe permanent allegiance to the United States upon certification by the National Council, Boy Scouts of America, as to their qualifications to attend this jamboree as representing the National Council, Boy Scouts of America, without fee for the application for or the issuance of said passports.

Approved April 14, 1947.

## [CHAPTER 32]

## AN ACT

To authorize the Secretary of the Navy to grant to the city of San Diego a right-of-way over land owned by the United States within the limits of Camp Gillespie, San Diego County, California.

April 15, 1947  
[S. 231]

[Public Law 32]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy is authorized to grant to the city of San Diego, California, upon such terms and conditions as he may determine, a right-of-way for the construction, maintenance, operation, and repair of a water pipe line or lines within a strip of land fifty feet in width and two thousand six hundred and fifty feet in length, more or less, which strip traverses land owned by the United States within the limits of Camp Gillespie, San Diego County, California.

San Diego, Calif.  
Grant of right-of-way.

Approved April 15, 1947.

## [CHAPTER 33]

## AN ACT

To authorize the furnishing of steam from the central heating plant to the property of the Daughters of the American Revolution, and for other purposes.

April 15, 1947  
[S. 516]

[Public Law 33]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Federal Works Administrator through the Public Buildings Administration be, and is hereby, authorized to furnish steam from the central heating plant for the use of the Daughters of the American Revolution on the property designated as square 173 in the District of Columbia: *Provided*, That the Daughters of the American Revolution agree to pay for the steam furnished at reasonable rates, not less than cost, as may be determined by the Administrator of the Federal Works Agency: *Provided further*, That the Federal Works Administrator, through the Public Buildings Administration, is authorized to prepare plans and specifications and to supervise and contract for the work necessary to connect with the Government mains and to receive payment from the Daughters of the American Revolution by the transfer of funds in advance to cover the cost of such work and services, including administrative expenses: *And provided further*, That there shall be no liability on the part of the Government on account of any damages that may accrue hereunder.

Daughters of the  
American Revolution.  
Furnishing of steam  
to designated prop-  
erty.

Payment.

Connection with  
Government mains.

Damages.

Approved April 15, 1947.

## [CHAPTER 34]

## AN ACT

To amend existing law to provide privilege of renewing expiring five-year level-premium-term policies for another five-year period.

April 15, 1947  
[H. R. 1327]

[Public Law 34]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the second proviso of the first paragraph of section 301, World War Veterans' Act, 1924, as amended (by the Act of May 14, 1942; U. S. C., title 38, sec. 512), is hereby amended to read as follows: "*Provided further*, That at the expiration of any five-year period a five-year level-premium term policy may be renewed for a second or third or fourth or fifth five-year period at the premium rate for the attained age without medical examination; and in case the fourth five-year period of any such policy shall have expired between January 24, 1947, and the

World War Veter-  
ans' Act, 1924, amend-  
ment.  
47 Stat. 334; 56 Stat.  
283.

Renewal of five-year  
level-premium term  
policies.

Notice to holder.

expiration of five months after the date of the enactment of this amendment to this amendatory proviso and the policy has not been continued in another form of Government insurance such policy may be renewed as of the date of its expiration on the same conditions upon payment of the back premiums within five months after such date of enactment; and the Administrator of Veterans' Affairs shall cause notice to be mailed to the holder of any such policy of the provisions of this amendment to this amendatory proviso."

Approved April 15, 1947.

[CHAPTER 35]

AN ACT

April 15, 1947  
[H. R. 1713]  
[Public Law 35]

To provide for the promotion of substitute employees in the postal service, and for other purposes.

Postal service.  
Promotion of sub-  
stitute employees.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all substitute employees in the postal service shall be promoted successively at the beginning of the quarter following one year's satisfactory service in each grade until they reach the maximum grade authorized for the respective assignment, without regard to the number of hours they are actually employed in the postal service during the year.

Service credit.

SEC. 2. Each substitute employee in the postal service shall, for promotional and leave purposes, receive credit for one-twelfth of a year for each whole calendar month that the substitute employee has been on the rolls as a substitute since his last promotion as a substitute or appointment as a substitute, whichever is later: *Provided*, That when a regular employee has been reduced to a substitute position, the months of service as a regular employee shall be included with the months served as a substitute to determine the date he will be eligible for automatic promotion under section 1 of this Act: *Provided further*, That the automatic promotion of a substitute employee in the postal service shall be withheld (1) for three months when such employee is absent on leave without pay and not available for duty for ninety days during a calendar year; (2) for six months when such employee is absent on leave without pay and not available for duty for one hundred and eighty days during a calendar year; (3) for nine months when such employee is absent on leave without pay and not available for duty for two hundred and seventy days during a calendar year; and (4) for one year when such employee is absent on leave without pay and not available for duty for three hundred and sixty days during a calendar year.

Regular employee  
reduced to substitute  
position.

Withholding of au-  
tomatic promotion.

60 Stat. 35.  
39 U. S. C. § 862a.

SEC. 3. Section 1 of the Act of March 6, 1946 (Public Law 317, Seventy-ninth Congress), entitled "An Act to provide credit for past service to substitute employees of the postal service when appointed to regular positions; to extend annual and sick-leave benefits to war-service indefinite substitute employees; to fix the rate of compensation for temporary substitute rural carriers serving in the place of regular carriers in the armed forces; and for other purposes", is amended to read as follows:

Computation of  
service upon appoint-  
ment to regular posi-  
tion.

"Upon appointment to a regular position in the Postal Service, any employee who was a substitute in the Postal Service prior to July 1, 1945, shall receive credit for actual substitute service including time served as a special-delivery messenger, performed prior to July 1, 1945, computed on the basis of one year for each unit of two thousand four hundred and forty-eight hours of service, but such credit shall not exceed four years. The credit thus computed shall be added to credit for the time the employee has been on the rolls as a substitute employee in the Postal Service on and after July 1, 1945, computed

on the basis of one-twelfth of a year for each whole calendar month that the employee has been on the rolls. Upon the appointment of any such employee to a regular position he shall be placed in the salary grade to which he would have progressed had his original appointment been made to a regular position of grade 1, plus four grades, and the progression shall be computed on the basis of years of substitute service as herein provided. Any fractional part of a year's substitute service accumulated since the last compensation increase as a substitute shall be included with the regular service as a regular employee in determining eligibility for promotion to the next higher grade following appointment to a regular position: *Provided*, That no substitute shall be appointed to a higher grade of a regular position than the highest grade to which employees may progress through annual promotions: *Provided further*, That upon appointment of a substitute employee to a regular position he shall not be placed in or promoted to a grade higher than the grade to which he would have progressed, including benefits authorized by section 23 of Public Law 134, approved July 6, 1945, had his original appointment been to a regular position of grade 1: *And provided further*, That employees shall not be allowed credit for service performed under temporary or war-service appointments except when such service is continuous to the date of appointment as a classified substitute or regular employee."

Approved April 15, 1947.

Restrictions.

59 Stat. 460.  
39 U. S. C. § 873.

#### [CHAPTER 38]

#### AN ACT

To establish a permanent Nurse Corps of the Army and the Navy and to establish a Women's Medical Specialist Corps in the Army.

April 16, 1947  
[H. R. 1943]  
[Public Law 36]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That this Act may be cited as the "Army-Navy Nurses Act of 1947".

Army-Navy Nurses  
Act of 1947.

#### TITLE I

##### ARMY NURSES AND WOMEN'S MEDICAL SPECIALIST CORPS

SEC. 101. (a) Effective the date of enactment of this Act, there is established in the Medical Department of the Regular Army an Army Nurse Corps, which shall perform such services as may be prescribed by the Secretary of War. The authorized strength of the Army Nurse Corps, Regular Army, shall be in the ratio of six members thereof to every one thousand persons of the total authorized strength of the Regular Army, but not less than a minimum authorized strength of two thousand five hundred and fifty-eight members. The Army Nurse Corps, Regular Army, shall consist of officers in the grades of second lieutenant to lieutenant colonel, inclusive: *Provided*, That the number of lieutenant colonels on active duty shall at no time exceed seven-tenths per centum, and the number of majors on active duty shall at no time exceed  $1\frac{6}{10}$  per centum, of the authorized Regular Army officer strength of such corps.

Army Nurse Corps.

Authorized strength.

Members; grades.

Restrictions.

(b) From the officers permanently commissioned in such Army Nurse Corps, in permanent grade of major or above, and upon the recommendation of the Surgeon General of the Army, the Secretary of War shall appoint the Chief of the Army Nurse Corps, who shall serve as such Chief during his pleasure for a term not to exceed four years and shall not be reappointed, and who, without vacation of her permanent grade, shall have the temporary rank, pay, and allowances of a colonel while so serving.

Chief of Army  
Nurse Corps.

Appointment of  
commissioned officers.

(c) Commissioned officers of the Army Nurse Corps, Regular Army, shall be appointed by the President, by and with the advice and consent of the Senate, from female citizens of the United States who have attained the age of twenty-one years. Original appointments other than appointments made under sections 103, 104, and 105 shall be made only in the grade of second lieutenant from female persons not over twenty-eight years of age on the date of nomination by the President, who are graduates of hospital or university training schools, who are registered nurses, and who possess such physical and other qualifications as may be prescribed by the Secretary of War.

Women's Medical  
Specialist Corps.

SEC. 102. (a) Effective the date of enactment of this Act, there is established in the Medical Department of the Regular Army, a Women's Medical Specialist Corps, which shall consist of a Dietitian Section, a Physical Therapist Section, and an Occupational Therapist Section, and which shall perform such services as may be prescribed by the Secretary of War. The authorized strength of the Women's Medical Specialist Corps, Regular Army, shall be in the ratio of nine-tenths of a member thereof to every one thousand persons in the total authorized strength of the Regular Army, but not less than a minimum authorized strength as follows: Twenty-four officers in permanent commissioned grade of major and three hundred and eighty-five other officers in permanent commissioned grades of captain to second lieutenant, inclusive. Any increase over and above the aforesaid minimum authorized strength shall be in permanent commissioned grades of captain to second lieutenant, inclusive.

Authorized strength.

Increase of strength.

Chief of Women's  
Medical Specialist  
Corps.

(b) From the officers permanently commissioned in such Women's Medical Specialist Corps, the Secretary of War shall appoint (1) the Chief of the Women's Medical Specialist Corps, who shall serve as such Chief during his pleasure, and who, without vacation of her permanent grade, shall have the temporary rank, pay, and allowances of a colonel while so serving and (2) three Assistant Chiefs of the Women's Medical Specialist Corps, who shall be the chiefs of the sections of the Women's Medical Specialist Corps, to serve as such Assistant Chiefs during his pleasure, and who, without vacation of their permanent grades, shall have the temporary rank, pay, and allowances of a lieutenant colonel while so serving.

Assistant Chiefs.

Appointment of  
commissioned officers.

(c) Commissioned officers of the Women's Medical Specialist Corps, Regular Army, shall be appointed by the President, by and with the advice and consent of the Senate, from female citizens of the United States, who have attained the age of twenty-one years. Original appointments other than appointments under sections 103, 104, and 105 hereof shall be made only in the grade of second lieutenant from female persons not over twenty-eight years of age on the date of nomination by the President and who possess such physical and other qualifications as may be prescribed by the Secretary of War.

Time limitation.

SEC. 103. (a) Prior to a date one year following the date of enactment of this Act, each of the persons specified below shall be tendered an appointment as a commissioned officer in the Army Nurse Corps, Regular Army, established by this Act, in a grade as prescribed in section 104 hereof.

This provision applies to each person who, on the date of enactment of this Act, is serving honorably on active duty as a member, other than as Reserve nurse, of the Army Nurse Corps created by chapter V of the Act of July 9, 1918 (40 Stat. 879), as amended, regardless of whether such person is also serving under an appointment made pursuant to the Act of June 22, 1944 (58 Stat. 324), and regardless of the age of such person.

10 U. S. C. §§ 161-  
163, 782, 783, 850.

50 U. S. C. app.  
§§ 1591-1598.

Qualifications.

(b) Until a date one year following the date of enactment of this Act any person who is a female citizen of the United States, who is

over twenty-one years of age, and who meets the physical and other qualifications prescribed by the Secretary of War, may be appointed a commissioned officer in the Army Nurse Corps, or the Women's Medical Specialist Corps, Regular Army, established by this Act, in a grade as prescribed in section 104 hereof: *Provided*, That a person appointed a commissioned officer in the Army Nurse Corps under this provision shall not have attained the age of thirty-five on the date of nomination by the President, shall be otherwise qualified and, during any of the wars in which the United States is presently engaged, shall have served honorably on active duty as a commissioned officer of the Army of the United States, pursuant to the Act of June 22, 1944 (58 Stat. 324), or as a member, including the status of Reserve nurse, of the Army Nurse Corps created by chapter V of the Act of July 9, 1918 (40 Stat. 879): *Provided further*, That no person shall be appointed a commissioned officer in the Women's Medical Specialist Corps under this section, except a person otherwise qualified, who during any of the wars in which the United States was engaged served honorably on active duty as a dietitian or physical therapist with the Medical Department of the Army of the United States appointed pursuant to the Act of June 22, 1944 (58 Stat. 324), or who served honorably as an occupational therapist with the Medical Department of the Army in the status of a civilian employee.

SEC. 104. A person appointed under the provisions of this title who is credited, as provided in section 105 hereof, with less than the minimum length of service now or hereafter prescribed for promotion of promotion-list officers to the grade of first lieutenant, shall be appointed in the grade of second lieutenant; a person credited with service equal to or greater than the minimum length of service now or hereafter prescribed for promotion of promotion-list officers to the grade of first lieutenant, but less than the minimum length of service now or hereafter prescribed for promotion of promotion-list officers to the grade of captain, shall be appointed in the grade of first lieutenant; a person credited with service equal to or greater than the minimum length of service now or hereafter prescribed for promotion of promotion-list officers to the grade of captain, shall be appointed in the grade of captain; majors and lieutenant colonels shall be appointed by selection, to fill vacancies in those grades from among persons who are appointed or are qualified for appointment in the grade of captain: *Provided*, That no person shall be appointed in the Army Nurse Corps or the Women's Medical Specialist Corps in a grade higher than the rank (either actual or relative) which such person held during any of the wars in which the United States was engaged.

SEC. 105. (a) For the purposes specified in subsection (b) hereof, each person appointed pursuant to provisions of this title shall, at the time of her appointment, be credited with whichever is the greater of the following two periods of service: (1) A period of service equal to the number of years, months, and days which such person served on active Federal military service either as a member (including the status of Reserve nurse) of the Army Nurse Corps created by chapter V of the Act of July 9, 1918 (40 Stat. 879), as amended, or as a dietitian or physical therapist with the Medical Department of the Army under the provisions of the Act of December 22, 1942 (56 Stat. 1072), or in the status of a commissioned officer in the Army of the United States under appointment pursuant to the Act of June 22, 1944 (58 Stat. 324); or (2) a period of service determined constructively in accordance with regulations prescribed by the Secretary of War: *Provided*, That in computing the total period of active Federal military service each such person honorably discharged or separated from active Federal military

50 U. S. C. app.  
§§ 1591-1598.  
10 U. S. C. §§ 161-  
163, 782, 783, 850.

Dietitian or physical  
therapist.

Occupational ther-  
apist.

Appointments de-  
termined by length  
of service.

Appointments by  
selection.

Restriction.

Crediting of service.

10 U. S. C. §§ 161-  
163, 782, 783, 850.

10 U. S. C. §§ 81  
note, 164 and note; 37  
U. S. C. § 113 note.  
*Post*, p. 52.  
50 U. S. C. app.  
§§ 1591-1598.

Period from dis-  
charge, etc., to ap-  
pointment.



Determination of grade, rank, and right to promotion.	service subsequent to May 12, 1945, shall also be credited with the period from the date of her discharge or separation from active Federal military service to the date of her appointment.
Determination of relative rank.	(b) The period of service credited to a person as provided in subsection (a) hereof shall be counted and construed as continuous active commissioned service on the active list of the Regular Army for the following two purposes: (1) For the purpose of determining the grade and rank of a person appointed under the provisions of this title, and (2) for the purpose of determining a person's right to promotion subsequent to appointment under the provisions of this title. Except for the foregoing specified purposes, provisions of existing law regarding length of service and benefits accruing therefrom shall not be affected.
Duties.	SEC. 106. Relative rank among commissioned officers of the Army Nurse Corps and the Women's Medical Specialist Corps, within each corps, and between such officers and other commissioned officers of the Regular Army, shall be determined in the manner now or hereafter prescribed by law for the determination of relative rank among other commissioned officers of the Regular Army. Commissioned officers of each such corps shall not be entitled, by virtue of their rank, to command, except within their respective corps, and over such persons as may be placed under their charge by competent authority, but may be assigned by the Secretary of War to perform such duties as the interests of the service may require.
Promotions to permanent grades.	SEC. 107. (a) Commissioned officers of the Army Nurse Corps and the Women's Medical Specialist Corps, Regular Army, shall, upon completion of the length of service now or hereafter prescribed for promotion of promotion-list officers to the grade of first lieutenant, be promoted to the permanent grade of first lieutenant; commissioned officers of such corps shall, after completing the length of service now or hereafter prescribed for promotion of promotion-list officers to the grade of captain, be promoted to the permanent grade of captain upon satisfactorily passing such examinations as the Secretary of War shall prescribe. Promotion to the permanent grade of major shall be by selection, under regulations prescribed by the Secretary of War, from among officers in the grade of captain who have completed the length of service now or hereafter prescribed for promotion of promotion-list officers to the grade of major. Promotion to the permanent grade of lieutenant colonel shall be by selection, under regulations prescribed by the Secretary of War, from officers in the permanent grade of major with at least one year's service in the grade of major.
Major.	(b) The examination for promotion referred to in subsection (a) above shall be prescribed by the Secretary of War and shall be held before a board of three officers designated by the Secretary of War. Should any officer fail to pass such examination, she shall be continued on active duty for a period of one year after the date upon which her promotion would normally have occurred, but without being so promoted, and upon the expiration of such year, or such time anterior to the expiration thereof as may be determined by the Secretary of War to be for the best interests of the service, such officer shall undergo such reexamination as may be prescribed by the Secretary of War and which shall be held before a board of officers designated by the Secretary of War, none of whom participated in the original examination of the officer concerned. If the officer concerned fails to pass the reexamination, she shall be honorably discharged from the service in the permanent grade then held with severance pay the same as now or hereafter prescribed for officers of the Regular Army separated by reason of not being selected for promotion.
Lieutenant colonel.	SEC. 108. (a) An officer on the active list of either the Army Nurse Corps or the Women's Medical Specialist Corps, Regular
Examinations.	
Reexamination.	
Failure to pass.	
Retirement after 20 years' service.	

Army, after twenty years' active Federal service in the armed forces of the United States, may upon her request, at the discretion of the Secretary of War, be retired and shall receive retired pay equal to  $2\frac{1}{2}$  per centum of the base and longevity pay she would receive if serving on active duty in the grade in which retired, multiplied by a number equal to the number of years of such active Federal service: *Provided*, That in computing the number of years of such service for the purpose of determining the percentage of active-duty pay, and for no other purpose, any fractional part of a year amounting to six months or more shall be counted as a complete year: *Provided further*, That in no event shall such retired pay exceed 75 per centum of such base and longevity pay: *And provided further*, That regardless of the years of service completed, at any time after such an officer shall have attained the age of fifty, if her permanent grade is below that of major, or at any time after such an officer shall have attained the age of fifty-five, if her permanent grade is major or higher, she may, at the discretion of the Secretary of War without her consent, be retired and upon such retirement she shall receive retired pay equal to  $2\frac{1}{2}$  per centum of the base and longevity pay she would receive if serving on active duty in the grade in which retired, multiplied by a number equal to the number of years of her active Federal service, but in no event shall such retired pay exceed 75 per centum of such base and longevity pay.

(b) Unless entitled to higher retired rank or pay under any provision of law, each commissioned officer who shall have served for four years as Chief of the Army Nurse Corps, Regular Army, or as Chief of the Women's Medical Specialist Corps, Regular Army, or as an Assistant Chief of the Women's Medical Specialist Corps, Regular Army, shall upon retirement be retired with the rank held by her while so serving, and shall receive retired pay at the rate prescribed by law, computed on the basis of the base and longevity pay which she would receive if serving on active duty with such rank, and if thereafter recalled to active service, shall be recalled in such rank and shall constitute an additional number therein: *Provided*, That the commissioned officer first appointed as Chief of the Army Nurse Corps and the commissioned officer first appointed as Chief of the Women's Medical Specialist Corps, pursuant to this Act, shall, without limitation as to the time they shall serve in such capacities, upon retirement be retired with the rank held while so serving, and shall receive retired pay at the rate prescribed by law, computed on the basis of the base and longevity pay they would receive if serving on active duty with such rank.

(c) In determining eligibility for retirement and the percentage of active-service pay to be employed in computing the amount of retired pay under any provision of law, each commissioned officer on the active list of the Regular Army who is commissioned in any of the corps established by this Act, shall be deemed to have at least the same length of continuous active commissioned service in the Regular Army as any officer junior to her rank in the Medical Department of the Regular Army.

SEC. 109. Except as otherwise specifically provided, all laws now or hereafter applicable to male commissioned officers of the Regular Army, to former male commissioned officers of the Regular Army, and to their dependents and beneficiaries, shall in like cases be applicable respectively to commissioned officers of any of the corps established by this Act, Regular Army, to former commissioned officers of any of the corps established by this Act, Regular Army, and to their dependents and beneficiaries.

Retired pay.

Fractional part of year.

Limitation.  
Retirement after  
ages 50 and 55.

Retired pay.

Limitation.

Retired rank, etc.,  
of Chiefs and Assistant  
Chiefs.Officers first ap-  
pointed Chiefs.Continuous active  
commissioned service  
in Regular Army.Applicability of  
laws to commissioned  
officers.

Credit for active military service.

10 U. S. C. §§ 81 note, 164 and note; 37 U. S. C. § 113 note.  
*Post*, p. 52.  
 50 U. S. C. app. §§ 1591-1598.  
 Termination of commission.

Addition to numbers of commissioned officers of Regular Army.

Appointment restrictions.

10 U. S. C. §§ 161-163, 782, 783, 850.

*Supra*.  
 50 U. S. C. app. §§ 1591-1598.

Termination of Army Nurse Corps.

*Supra*.  
 Pay, leave, etc.

Officers' Reserve Corps.  
 Army Nurse Corps Section; Women's Medical Specialist Corps Section.

Applicability of laws to commissioned officers, etc.

Appointments.

SEC. 110. Except for the purpose of determining a person's grade, rank, and right to promotion in the Regular Army (see section 105 (b) hereof) in computing years of active Federal military service for all purposes of any person, there shall be credited active military service in the Army Nurse Corps and in the Navy Nurse Corps, active military service rendered pursuant to an appointment under the provisions of the Act of December 22, 1942 (56 Stat. 1072), and active military service rendered pursuant to an appointment under the Act of June 23, 1944 (58 Stat. 324).

SEC. 111. The Secretary of War, under the circumstances and in accordance with regulations prescribed by the President, may terminate the commission of any officer commissioned in any of the corps established by this title.

SEC. 112. Personnel appointed in the Regular Army under the provisions of this Act shall be in addition to the numbers of other commissioned officers of the Regular Army now or hereafter prescribed by law.

SEC. 113. (a) Effective on the date of enactment of this Act, no further appointment shall be made in the Army Nurse Corps created by Chapter V of the Act of July 9, 1918 (40 Stat. 879), as amended, and no further appointment shall be made pursuant to the Act of December 22, 1942 (56 Stat. 1073), or pursuant to the Act of June 22, 1944 (58 Stat. 324). The acceptance of any Regular Army appointment under this Act shall operate to vacate any other military or civilian status in or with the Military Establishment theretofore occupied by the appointee except an appointment pursuant to the Act of June 22, 1944.

(b) Effective six months following the date of enactment of this Act, the Army Nurse Corps created by chapter V of the Act of July 9, 1918 (40 Stat. 879), as amended, and all offices and appointments therein shall cease to exist: *Provided*, That this provision shall not affect the rights, benefits, privileges, pay, allowances, gratuities, or leave accrued to a person, her dependents, or beneficiaries by virtue of any laws or regulations in effect prior to the enactment of this Act, and where necessary to the full enjoyment of terminal leave, terminal leave pay, retirement and retired pay, pensions, travel allowance, transportation of dependents and effects, and rights, benefits, privileges and gratuities to which such person or her dependents have become entitled, such corps, offices, and appointments shall continue to exist but only for such purposes.

SEC. 114. Effective the date of enactment of this Act, there shall be established in the Officers' Reserve Corps of the Army of the United States an Army Nurse Corps Section and a Women's Medical Specialist Corps Section.

SEC. 115. Except as otherwise specifically provided, all laws and regulations now or hereafter applicable to commissioned officers and former commissioned officers of the Officers' Reserve Corps, and to their dependents and beneficiaries, shall, in like cases, be applicable respectively to commissioned officers and former commissioned officers of the Army Nurse Corps Section and the Women's Medical Specialist Corps Section of the Officers' Reserve Corps, and to their dependents and beneficiaries.

SEC. 116. Appointments in the Army Nurse Corps Section and the Women's Medical Specialist Corps Section of the Officers' Reserve Corps may be made in such grades and under such regulations as may be prescribed by the Secretary of War, from female citizens of the United States, who have attained the age of twenty-one years, and

who possess such physical and other qualifications as may be prescribed by the Secretary of War: *Provided*, That female officers appointed pursuant to the Act of June 22, 1944, and honorably separated from the service thereafter may, if otherwise qualified, be appointed in the appropriate section of the Officers' Reserve Corps established hereby in the highest grade satisfactorily held by her in active service.

SEC. 117. In addition to the obligation to render active service now or hereafter provided with respect to other members of the Officers' Reserve Corps a member of those sections established in the Officers' Reserve Corps by this title may, with her consent, be called to active duty by the Secretary of War for any period or periods of time according to the needs of the Military Establishment, as determined by the Secretary of War.

## TITLE II

### NAVY NURSE CORPS

SEC. 201. A Nurse Corps, which shall be a component part of the Medical Department of the Navy, is hereby created and established as a Staff Corps of the United States Navy. The Navy Nurse Corps shall consist of officers commissioned in the grade of nurse by the President, by and with the advice and consent of the Senate, and such officers shall have the rank of commander, lieutenant commander, lieutenant, lieutenant (junior grade), or ensign: *Provided*, That the total number of officers in the permanent rank of commander and lieutenant commander shall not exceed seven-tenths per centum and one and six-tenths per centum, respectively, of the total number of officers permanently commissioned in the Navy Nurse Corps and serving on active duty. The total authorized number of officers of the Nurse Corps shall be six for each thousand of the authorized number of officers, midshipmen, and enlisted personnel of the active list of the Regular Navy and Regular Marine Corps.

SEC. 202. There shall be a Director of the Nurse Corps appointed by the Secretary of the Navy, upon the recommendation of the Surgeon General of the Navy, from among the officers of the active list of the Nurse Corps of the permanent grade or rank of lieutenant commander or above for a term of not more than four years, to serve at the pleasure of the Secretary of the Navy. While so serving the Director shall have the rank of captain, shall be entitled to the pay and allowances as are now or may be hereafter prescribed by law for a captain of the Navy, and her regular status as a commissioned officer of the Nurse Corps shall not be disturbed by reason of such appointment.

SEC. 203. All members of the active list of the existing Nurse Corps of the Regular Navy, who, on the effective date of this Act, are serving in a temporary rank authorized by present law, may, during a period of not more than six months after enactment of this Act, be transferred to the Nurse Corps created by this Act, and, upon transfer, shall be appointed for temporary service pursuant to, and subject to the limitations of, the Act of July 24, 1941 (55 Stat. 603), as now or hereafter amended, to the same rank and with the same precedence held by them on the date of such transfer, and for the purposes of such appointments under the said Act, such members of the Nurse Corps shall be considered to be commissioned officers in the Regular Navy. Nurses so transferred, who at the

Officers separated from service.  
58 Stat. 324.  
50 U. S. C. app. §§ 1591-1598.

Call to active duty.

Post, p. 882.

Members; rank.

Limitation.

Authorized number.

Director of Nurse Corps.

Rank, pay, etc.

Transfers for temporary service.  
Post, p. 882.

34 U. S. C. §§ 350-350f.  
Post, p. 312.

Accrued leave.

Running mates.  
Assignment of per-  
manent ranks.

Restriction.

Appointments sub-  
ject to revocation.

Qualifications.

Authority of officers.  
*Post*, p. 882.

Restriction.

Laws relating to  
advancement in rank.  
*Post*, p. 883.

Nonapplicability of  
designated sections.

34 U. S. C. §§ 348o,  
348p, 349c.  
*Post*, p. 882.

34 U. S. C. § 348b.  
*Post*, p. 882.  
Officer recom-  
mended for advance-  
ment to rank of com-  
mander.

34 U. S. C. § 348o.  
*Post*, p. 882.

Convening of selec-  
tion board.

time of such transfer had to their credit leave accrued but not taken, shall not, by reason of such transfer, lose such accrued leave. Prior to the termination of their temporary appointments, the Secretary of the Navy shall appoint a board of not less than three naval officers, who, in accordance with such regulations as he may prescribe, shall assign running mates to the Nurse Corps officers transferred and appointed for temporary service pursuant to this section, and such officers shall be assigned permanent ranks corresponding to the permanent ranks held by their running mates: *Provided*, That no officer of the Nurse Corps shall be assigned a permanent rank above that of commander.

SEC. 204. Except as provided in sections 203 and 211 of this title, appointments to the grade of nurse in the Regular Navy shall be with the rank of ensign, and each such appointment shall be subject to revocation by the Secretary of the Navy until such time as the appointee is advanced to the rank of lieutenant (junior grade). Officers whose appointments are so revoked shall be discharged from the service without advanced pay. Such appointees shall be female citizens of the United States who shall have reached the age of twenty-one years on July 1 of the calendar year in which appointed, and who shall not have reached the age of twenty-nine years on July 1 of the calendar year in which appointed. No person shall be appointed pursuant to this section until she shall have established her mental, moral, educational, professional, and physical qualifications to the satisfaction of the Secretary of the Navy.

SEC. 205. Officers of the Navy Nurse Corps shall have authority in medical and sanitary matters and all other work within the line of their professional duties in and about naval hospitals and other activities of the Medical Department of the Navy next after officers of the Medical Corps and the Dental Corps of the Navy. They shall exercise such military authority as may be prescribed from time to time by the Secretary of the Navy: *Provided*, That they shall not be eligible for the exercise of command.

SEC. 206. (a) Subject to the limitations of section 201 of this title, all provisions of law now existing or hereafter enacted relating to the advancement in rank of officers of the Staff Corps of the Navy, except those provisions relating to the same subject matter provided for in the following subsections of this section, shall be construed to include officers of the Nurse Corps.

(b) Paragraph 2, section 16, of the Act of June 10, 1926 (44 Stat. 723); section 17 of the Act of June 10, 1926 (44 Stat. 724); and section 4 of the Act of August 5, 1935 (49 Stat. 530), shall not apply to officers of the Nurse Corps established by this title.

(c) Section 3 of the Act of June 10, 1926, is hereby amended by inserting the following proviso after the colon which appears after the word "mate" in line 17, paragraph 4, thereof, on page 718, volume 44, Statutes at Large: "*Provided further*, That an officer of the Nurse Corps recommended for advancement to the rank of commander in the approved report of a selection board shall be eligible for advancement to such rank when a vacancy occurs therein and when so advanced, such officer shall be entitled to the pay and allowances of the rank of commander only from the date of the vacancy."

(d) Section 16 of the Act of June 10, 1926, is hereby amended by striking out the period as it appears after the word "him" in line 7, paragraph 1, thereof, on page 723, volume 44, Statutes at Large, substituting a colon therefor, and adding the following proviso: "*Pro- vided*, That a selection board to recommend officers of the Nurse Corps for advancement to the rank of commander shall be convened only if there exists a vacancy in such rank or if the Secretary of the Navy

estimates or determines that a vacancy will occur in the ensuing twelve-month period."

(e) Boards for selection of Nurse Corps officers for recommendation for advancement to the ranks of commander, lieutenant commander, and lieutenant shall be composed of not less than six nor more than nine officers not below the rank of captain on the active or retired list of the Medical Corps: *Provided*, That in case there is not a sufficient number of officers of the Medical Corps legally or physically qualified to serve on the selection board as herein provided, officers of the line of the active list of the rank of captain may be detailed to duty on such board to constitute the required membership.

Selection board.

Detail of officers of the line.

SEC. 207. (a) All provisions of law now existing or hereafter enacted relating to retired officers of the staff corps of the Navy and to the retirement or separation from the active list of such officers, except those provisions relating to the same subject matter provided for in the following subsections of this section, shall be construed to include officers of the Nurse Corps.

Laws relating to retirement or separation.  
*Post*, p. 882.

(b) Each officer of the Navy Nurse Corps who attains the age of fifty-five years while serving in the rank of commander or lieutenant commander and each officer of such corps who attains the age of fifty years while serving in the rank of lieutenant or below, shall be retired by the President on the first day of the month following that in which she attains such age, and, except as otherwise provided in this section, shall be placed on the retired list in the permanent rank held by her at the time of retirement. Nothing contained in this subsection shall be construed to prohibit the transfer, under section 203 hereof, to the Nurse Corps created by this Act of such members of the Nurse Corps, which existed prior to the enactment of this Act, as may have reached the retirement ages specified herein prior to such transfer.

Retirement at ages 55 and 50.

Transfers.

(c) An officer of the Navy Nurse Corps, who may be retired for any reason while serving as Director of such corps or subsequent to service as Director while serving in a lower rank, may, in the discretion of the President if she shall have served two and one-half years or more as Director, be placed on the retired list in the rank held by her as Director: *Provided*, That the commissioned officer first appointed as Director of the Navy Nurse Corps, pursuant to this Act, shall without limitation as to the time she shall serve in such capacity, upon retirement be retired with the rank held while so serving, and shall receive retired pay at the rate prescribed by law computed on the basis of the base and longevity pay she would have received if serving on active duty with such rank.

Retirement of Director.

Officer first appointed Director.

(d) An officer of the Navy Nurse Corps who shall have served prior to July 1, 1946, in a rank higher than her permanent rank, other than by virtue of appointment as Director of the said corps, shall, when retired for any reason if not otherwise entitled to the same or higher rank, be advanced to the highest rank in which, as determined by the Secretary of the Navy, she served satisfactorily. In any case where, as determined by the Secretary of the Navy, any such officer has not performed satisfactory duty in the highest rank held by her while on active duty, she shall be placed on the retired list with the next lower rank in which she has served but not lower than her permanent rank.

Service in rank higher than permanent rank.

Failure to perform satisfactory duty in highest rank.

(e) An officer of the Nurse Corps placed on the retired list in her permanent rank pursuant to subsection (b) of this section shall receive retired pay at the rate of  $2\frac{1}{2}$  per centum of the active-duty pay to which entitled at the time of retirement multiplied by the number of years for which entitled to credit in the computation of her active-duty pay, not to exceed a total of 75 per centum of said active-duty pay.

Retired pay.

Physical disability.	(f) An officer of the Nurse Corps retired by reason of physical disability incurred in the line of duty shall, if placed on the retired list in a rank higher than her permanent rank, receive retired pay equal to 75 per centum of active-duty pay to which she would be entitled if serving, at the time of retirement, on active duty in the rank in which placed upon the retired list.
Retired pay.	(g) An officer of the Nurse Corps retired other than by reason of physical disability incurred in the line of duty shall, if placed on the retired list in a rank higher than her permanent rank, receive retired pay equal to 2½ per centum of the active-duty pay to which she would be entitled if serving, at the time of retirement, on active duty in the rank in which placed upon the retired list, multiplied by the number of years for which entitled to credit in the computation of her active-duty pay, not to exceed a total of 75 per centum of said active-duty pay.
Fractional year.	(h) In any instance in which retired pay is computed as prescribed in subsections (e) and (g) of this section, a fractional year of six months or more shall be considered a full year in computing the number of years by which the rate of 2½ per centum is multiplied.
Service credit for voluntary retirement.	(i) The number of years service to be credited to officers of the Navy Nurse Corps in determining their eligibility for voluntary retirement shall be based on the total of all active service either under an appointment or contract or as a commissioned officer in the Nurse Corps of the Army or Navy, or the reserve components thereof and all active service in the Nurse Corps or the Nurse Corps Reserve abolished by this Act shall, for this purpose only, be regarded as commissioned service in the Navy or the reserve components thereof, as the case may be.
Title and uniform.	(j) Retired officers of the Navy Nurse Corps shall be authorized to bear the title, and, under such regulations as may be prescribed by the Secretary of the Navy, to wear the uniform of the rank with which retired.
Allowances, benefits, etc.	SEC. 208. (a) All provisions of law relating to pay, leave, money allowances for subsistence and rental of quarters, mileage and other travel allowances, or other allowances, benefits, or emoluments, of male officers of the Navy, except those provisions relating to the same subject matter provided for in subsection (b) of this section, are hereby made applicable to officers of the Nurse Corps: <i>Provided</i> , That the husbands of officers of the Navy Nurse Corps shall not be considered dependents of such officers unless they are in fact dependent on their wives for their chief support, and the children of such officers shall not be considered dependents unless their father is dead or they are in fact dependent on their mother for their chief support: <i>Provided further</i> , That officers of the Nurse Corps may be subsisted in hospital messes in accordance with section 17 (a) of the Act of August 2, 1946 (Public Law 604, Seventy-ninth Congress, second session), and such officers may be assigned quarters in naval hospitals under such regulations as the Secretary of the Navy may prescribe.
Dependents.	(b) Longevity pay for officers of the Navy Nurse Corps shall be based upon the total of all periods of active service during which they have held or shall hold appointments as nurses or as commissioned officers in the Nurse Corps of the Army, Navy, or Public Health Service, or the reserve components thereof.
Subsistence and quarters.	SEC. 209. The Secretary of the Navy, under the circumstances and in accordance with the regulations prescribed by the President, may terminate the commission of any officer commissioned in the Nurse Corps established by this title.
60 Stat. 855. 34 U. S. C. § 901a.	SEC. 210. The Naval Reserve Act of 1938 (52 Stat. 1175), as amended, is hereby further amended by adding after section 508 thereof an additional title as follows:
Longevity pay.	
Termination of commission.	
34 U. S. C. § 853j. 56 Stat. 731. 34 U. S. C. § 857g.	

## “TITLE VI—NURSE CORPS RESERVE

“SEC. 601. A Nurse Corps Reserve is hereby established which shall be a branch of the Naval Reserve and shall be administered under the same provisions in all respects (except as may be necessary to adapt said provisions to the Nurse Corps Reserve, or as specifically provided herein) as those contained in this Act or which may hereafter be enacted with respect to the Volunteer Reserve.

Establishment; administration.

“SEC. 602. Members of the Nurse Corps Reserve may be commissioned in appropriate ranks corresponding to those of the Nurse Corps of the Regular Navy in accordance with such regulations as the Secretary of the Navy may prescribe. Such members of the Nurse Corps Reserve, when on active duty, shall have the same authority in and about naval hospitals and other activities of the Medical Department of the Navy as officers of the Nurse Corps of the Regular Navy.

Commissioned ranks.

Authority.

“SEC. 603. The Reserve established by this title shall be composed of members who are female citizens of the United States and who shall have such professional or other qualifications as shall be prescribed by the Secretary of the Navy.

Qualifications.

“SEC. 604. All nurses of the Volunteer Reserve appointed under the authority of title 1, section 4, of this Act are hereby transferred to the Nurse Corps Reserve established by section 601 of this title in such permanent ranks as the Secretary of the Navy may determine and the temporary ranks held by those on active duty on the effective date of this title shall not be vacated by reason of such transfer. Each nurse so transferred, who at the time of such transfer had to her credit leave accrued but not taken, may, subsequent to such transfer, be granted such leave without loss of pay and allowances.”

Transfers.

52 Stat. 1176.  
34 U. S. C. § 853b.  
Post, p. 90.

Accrued leave.

SEC. 211. Sections 5, 6, and 7 of the Act of April 18, 1946 (60 Stat. 92), as now or hereafter amended, shall be construed to include members of the Nurse Corps Reserve and former members of the Nurse Corps or the Nurse Corps Reserve abolished by this Act: *Provided*, That no member of the Nurse Corps Reserve or former member of the Nurse Corps or the Nurse Corps Reserve who has reached the age of thirty-five years shall be commissioned in the Nurse Corps of the United States Navy created and established by this Act.

34 U. S. C. §§ 15, 16,  
228a.  
Post, p. 867.

Age limitation.

SEC. 212. Nurses appointed to commissioned rank pursuant to section 203 of this title who, under a prior appointment in the Nurse Corps, shall have subscribed to the oath of office as required by section 1757, Revised Statutes, shall not be required to renew such oath or take a new oath under her appointment as a commissioned officer in the Nurse Corps of the United States Navy if her service in the Nurse Corps after taking such oath shall have been continuous.

Oath of office.  
*Ante*, p. 47.

5 U. S. C. § 16.

SEC. 213. Effective six months after enactment of this title, all laws or parts of laws inconsistent with the provisions of this title are hereby repealed, and the provisions of this title shall be in effect in lieu thereof and such repeal shall include but shall not be limited to the following Acts and parts of Acts:

Repeals.

(a) The third paragraph, subheading “Repairs, Bureau of Medicine and Surgery”, heading “Bureau of Medicine and Surgery”, of the Act of May 13, 1908, as it appears on page 146, volume 35, Statutes at Large.

34 U. S. C. §§ 41, 42,  
878, 887.

(b) So much of the Act of May 13, 1926 (44 Stat. 531), as relates to the Navy Nurse Corps.

34 U. S. C. §§ 438-  
440a.

(c) So much of the Act of June 20, 1930 (46 Stat. 790), as amended by the Acts of March 3, 1931 (46 Stat. 1502), and October 17, 1940 (54 Stat. 1192), as relates to the Navy Nurse Corps.

34 U. S. C. §§ 436,  
437.

(d) That part of section 4 of the Act of June 25, 1938 (52 Stat. 1176), which relates to the appointment of female registered nurses in the Volunteer Reserve.

34 U. S. C. § 853b.  
Post, p. 90.



37 U. S. C. § 102.

37 U. S. C. § 113.

34 U. S. C. §§ 262,  
263, 918, 919.

37 U. S. C. § 113 note.

34 U. S. C. § 262 note.

37 U. S. C. § 113 note.

Repealed laws relat-  
ing to retirement.

(e) That part of section 2 of the Act of June 16, 1942 (56 Stat. 360), which authorizes an increase of 20 per centum in base pay of Navy nurses while on sea duty.

(f) So much of section 13 of the Act of June 16, 1942 (56 Stat. 366), as relates to the Navy Nurse Corps.

(g) The Act of July 3, 1942 (56 Stat. 646).

(h) Section 7 of the Act of December 22, 1942 (56 Stat. 1074).

(i) The Act of February 26, 1944 (58 Stat. 105).

(j) The Act of December 3, 1945 (59 Stat. 594).

SEC. 214. All provisions of existing law repealed by section 213 of this title, which relate to the retirement and the retired pay of members or officers of the Navy Nurse Corps, shall remain in effect with respect to such members or officers who have been retired prior to the effective date of section 213 of this title, and no retired member or officer of the Navy Nurse Corps shall suffer by reason of this title any reduction or loss of retirement benefits to which she was entitled upon the effective date of this Act.

Effective date.

SEC. 215. Except as provided in section 213 hereof, this title shall take effect upon the date of its enactment.

Approved April 16, 1947.

## [CHAPTER 39]

## AN ACT

April 16, 1947 .

[S. 363]

[Public Law 37]

To amend section 3 of the Act of July 24, 1946 (Public Law 534, Seventy-ninth Congress).

Larceny in inter-  
state or foreign com-  
merce.

60 Stat. 657.

18 U. S. C. § 411.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 3 of the Act of July 24, 1946 (Public Law 534, Seventy-ninth Congress, be, and it is hereby, amended to read as follows:

"To establish the interstate or foreign commerce character of any shipment in any prosecution under this Act the waybill, or other shipping document, of such shipment shall be prima facie evidence of the place from which and to which such shipment was made."

Approved April 16, 1947.

## [CHAPTER 41]

## AN ACT

April 25, 1947

[H. R. 731]

[Public Law 38]

To establish the Theodore Roosevelt National Memorial Park; to erect a monument in memory of Theodore Roosevelt in the village of Medora, North Dakota; and for other purposes.

North Dakota.  
Theodore Roosevelt  
National Memorial  
Park.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all those certain tracts, pieces, or parcels of land, title to which is vested in the United States of America, and being in the State of North Dakota, and within the boundaries particularly described, as follows, to wit: Beginning at the point where the north line of the right-of-way of United States Highway Numbered 10 intersects the east boundary of section 36, township 140 north, range 101 west, fifth principal meridian; thence southwesterly and northwesterly along the north line of said right-of-way through section 1, township 139 north, range 101 west, and sections 36, 35, 34, 27, 28, and 29, township 140 north, range 101 west, to the west boundary of said section 29; north along section lines to the northwest corner of said section 29; west along section line to the southwest corner of section 19, township 140 north, range 101 west; north along township line to the southeast corner of the northeast quarter of the northeast quarter

of section 24, township 140 north, range 102 west; west to the southwest corner of the northeast quarter of the northeast quarter of said section 24; north to the northwest corner of the northeast quarter of the northeast quarter of said section 24; westerly along section lines to the southwest corner of section 16, township 140 north, range 102 west; northerly along section lines to the northwest corner of section 4, township 140 north, range 102 west; thence west along township line to the southwest corner of the southeast quarter of section 34, township 141 north, range 102 west; northerly through the center of sections 34 and 27 to the northwest corner of the northeast quarter of section 27 of said township 141 north, range 102 west; easterly along section lines to the northeast corner of section 28, township 141 north, range 101 west; south along section lines to the southeast corner of said section 28; east along section line to the northeast corner of section 34, township 141 north, range 101 west; south to the northwest corner of the southwest quarter of section 35, township 141 north, range 101 west; easterly through center of sections 35 and 36 to the northeast corner of the southeast quarter of said section 36 of said township 141 north, range 101 west; south to the southeast corner of said section 36; thence east along township line to the northeast corner of lot 3, section 2, township 140 north, range 101 west; southerly through the center of sections 2 and 11 to the southeast corner of the southwest quarter of said section 11, township 140 north, range 101 west; easterly along section lines to the northeast corner of section 13 of said township 140 north, range 101 west; southerly along township line to the northwest corner of section 19, township 140 north, range 100 west; easterly along north line of said section 19 to the northeast corner of the northwest quarter; southerly through center of sections 19, 30, and 31 to the northwest corner of the southeast quarter of section 31; easterly along the center of said section 31 to the northeast corner of the southeast quarter; southerly along the east line of said section 31 to the southeast corner; westerly along the township line to the east line of section 36, township 140 north, range 101 west; northerly along the township line between townships 140 north, range 100 west and 140 north, range 101 west to the north right-of-way line of United States Highway Numbered 10, the place of beginning, containing thirty-five thousand two hundred and seventy acres, more or less, are hereby dedicated and set apart as a public park for the benefit and enjoyment of the people, and shall be known as the Theodore Roosevelt National Memorial Park. The Secretary of the Interior is authorized, in his discretion, to construct and maintain a road or highway through the park connecting with a State or Federal highway.

Construction, etc.,  
of highway.

SEC. 2. The Secretary of the Interior is hereby authorized to cause condemnation proceedings to be instituted in the name of the United States under the provisions of the Act of August 1, 1888, entitled "An Act to authorize the condemnation of lands for sites for public buildings, and other purposes" (25 Stat. 357), to acquire title to the lands, interests therein, or rights pertaining thereto that are privately owned within the boundaries of the said national park, and such property, when acquired, shall become a part thereof: *Provided*, That when the owner of such lands, interests therein, or rights pertaining thereto shall fix a price for the same, which, in the opinion of the Secretary of the Interior, shall be reasonable, the Secretary may purchase the same without further delay: *Provided further*, That the Secretary of the Interior is authorized to accept, on behalf of the United States, donations of land, interests therein, or rights pertaining thereto required for the Theodore

Acquisition of private lands, etc.

40 U. S. C. §§ 257,  
258.

Purchase.

Donations.

Titles, etc.	Roosevelt National Memorial Park: <i>And provided further</i> , That title and evidence of title to land and interests therein acquired for said park shall be satisfactory to the Attorney General.
Exchange of lands.	SEC. 3. That for the purposes of acquiring non-Federal lands within the boundaries of said park as established by this Act, the Secretary of the Interior is hereby authorized, in his discretion, to exchange federally owned lands within the Roosevelt recreational demonstration area project, located outside the boundaries of the park for State or privately owned lands of approximately equal value within the boundaries of the park, when in his opinion such action is in the interest of the United States, the title to any lands acquired under this section to be satisfactory to the Attorney General. Upon the vesting of title thereto in the United States, any lands acquired pursuant to this authorization shall become a part of the park and shall be subject to the laws applicable thereto.
Acquisition of lots for reconstruction of buildings.	SEC. 4. The Secretary of the Interior is further authorized to obtain by purchase or condemnation proceedings, as part of said Theodore Roosevelt National Memorial Park, lots 2, 3, 4, and 6 of section 33, township 144, range 102, and to reconstruct thereon the log ranch house thirty by sixty feet, the log blacksmith shop sixteen by twenty feet, one log stable sixteen by twenty feet, one log stable twenty by thirty feet, log dog house, three log rectangular corrals, and one log circular corral, as they existed at the time the premises were occupied by Theodore Roosevelt: <i>Provided</i> , That the total cost of such land and buildings shall not exceed \$40,000.
Cost limitation.	
Administration, etc., of park.	SEC. 5. The Administration, protection, and development of the aforesaid park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended.
5 U. S. C. § 485; 16 U. S. C. §§ 1, 2-4, 22, 43.	
Medora, N. Dak. Erection of monument.	SEC. 6. The Secretary of the Interior is authorized to erect a monument in memory of Theodore Roosevelt, in the village of Medora, North Dakota, with the advice of the Commission of Fine Arts: <i>Provided</i> , That the cost of the monument shall not exceed \$35,000 and there shall be conveyed to the United States such suitable site as may in the judgment of the Secretary be required for said monument: <i>Provided further</i> , That the village of Medora, or other public agency or organization, shall furnish, in writing, assurance satisfactory to the Secretary of its willingness to assume the perpetual care and upkeep of the monument.
Cost limitation.	
Care and upkeep.	
Existing claims, etc.	SEC. 7. That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States, whether for homestead, mineral, right-of-way, or any other purposes whatsoever, or shall affect the right of any such claimant, locator, or entryman to the full use and enjoyment of his land.
Appropriations authorized.	SEC. 8. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Approved April 25, 1947.

#### [CHAPTER 42]

#### AN ACT

April 28, 1947  
[S. 1009]  
[Public Law 39]

To extend the time within which the municipality of Fort Lauderdale, Broward County, Florida, may consummate the purchase of the Coast Guard site (commonly known as the Base Six property) which is located at Fort Lauderdale.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 3 of the Act entitled "An Act authorizing the Secretary of the Treasury

to exchange sites at Miami Beach, Dade County, Florida, for Coast Guard purposes", as amended (Public Law Numbered 655, Seventy-ninth Congress; 60 Stat. 901), is hereby amended by striking out "six months" and inserting in lieu thereof "twelve months".

Approved April 28, 1947.

## [CHAPTER 43]

## AN ACT

To provide for a six months' extension and final liquidation of the farm labor supply program, and for other purposes.

April 28, 1947

[H. R. 2102]

[Public Law 40]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the farm labor supply program conducted pursuant to the Farm Labor Supply Appropriation Act, 1944 (Public Law 229, Seventy-eighth Congress, second session, title I), as amended and supplemented, including the exemptions relating to the admission of farm laborers authorized by section 5 (g) of such Act, may be continued up to and including December 31, 1947, and thereafter shall be liquidated within thirty days. In order to continue to make available for the purposes of this program all labor-supply centers, labor homes, labor camps, and facilities heretofore available in this program, section 2 (d) of the Farmers' Home Administration Act of 1946 (Public Law 731, Seventy-ninth Congress, second session) is hereby amended by deleting therefrom the following language: "or until six months after the termination of the present hostilities as determined by concurrent resolution of the Congress or by the President, whichever is the earlier" and inserting in lieu thereof the following language: "or January 30, 1948, whichever is the earlier". Such amounts as may be necessary for the continuance and liquidation of such program as provided in this Act are hereby authorized to be appropriated.

SEC. 2. Upon the enactment of this Act—

(a) The provisions of the Farm Labor Supply Appropriation Act, 1944 (Public Law 229, Seventy-eighth Congress, second session, title I), as amended and supplemented, and as extended by this Act, shall not be construed to limit or interfere with any of the functions of the United States Employment Service or State public employment services with respect to maintaining a farm placement service as authorized under the Act of June 6, 1933 (48 Stat. 113).

(b) The Secretary of Agriculture and the Secretary of Labor shall take such action as may be necessary to assure maximum cooperation between the agricultural extension services of the land-grant colleges and the State public employment agencies in the recruitment and placement of domestic farm labor and in the keeping of such records and information with respect thereto as may be necessary for the proper and efficient administration of the State unemployment compensation laws and of title V of the Servicemen's Readjustment Act of 1944, as amended (58 Stat. 295).

SEC. 3. Notwithstanding any other provision of law, any Mexican farm laborer who is presently in this country and engaged in agricultural employment may be permitted to remain in this country, as long as the farm labor supply program is in effect, and he continues in agricultural employment: *Provided*, That the employer or employers of such laborers give satisfactory assurance to the United States Immigration and Naturalization Service that the terms and conditions of employment are satisfactory to the Government of Mexico, and that assurance, including an appropriate bond, is given to the satisfaction of the United States Immigration and Naturalization

Farm labor supply program. Continuance and liquidation.

58 Stat. 11, 15.  
50 U. S. C. app. §§ 1351-1355.  
*Post*, p. 202.  
Labor-supply centers, etc.

60 Stat. 1064.  
7 U. S. C. § 1001 note.

Appropriations authorized.  
*Post*, pp. 109, 695.

Farm placement service.

*Supra*.

29 U. S. C. § 49b.  
Domestic farm labor. Recruitment and placement.

Records.

38 U. S. C. §§ 696-696m.  
*Post*, p. 454.  
Mexican farm laborers.

Employer's assurance.

Service to the effect that any such Mexican farm laborer will be returned to his place of recruitment or to such other place as the United States Immigration and Naturalization Service may require, without cost to the Government, when such farm employment terminates and, in any event, not later than December 31, 1947.

Approved April 28, 1947.

#### [CHAPTER 44]

#### AN ACT

To amend the Federal Reserve Act, and for other purposes.

April 28, 1947  
[H. R. 2413]  
[Public Law 41]

*Ante*, p. 34; *post*, pp.  
214, 322.  
38 Stat. 265.

Purchase and sale of  
obligations.

48 Stat. 168.  
12 U. S. C. § 263.

Report to Congress.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, notwithstanding the provisions of section 1501 of the Second War Powers Act, 1942, as amended, section 14 (b) of the Federal Reserve Act, as amended (U. S. C., 1940 edition, Supp. V, title 12, sec. 355), is hereby amended by striking out the proviso in such section 14 (b) and inserting in lieu thereof the following: "*Provided*, That, notwithstanding any other provision of this Act, (1) until July 1, 1950, any bonds, notes, or other obligations which are direct obligations of the United States or which are fully guaranteed by the United States as to principal and interest may be bought and sold without regard to maturities either in the open market or directly from or to the United States; but all such purchases and sales shall be made in accordance with the provisions of section 12A of this Act and the aggregate amount of such obligations acquired directly from the United States which is held at any one time by the twelve Federal Reserve banks shall not exceed \$5,000,000,000; and (2) after June 30, 1950, any bonds, notes, or other obligations which are direct obligations of the United States or which are fully guaranteed by the United States as to principal and interest may be bought and sold without regard to maturities but only in the open market. The Board of Governors of the Federal Reserve System shall include in their annual report to Congress detailed information with respect to direct purchases and sales from or to the United States under the provisions of the preceding proviso."

Approved April 28, 1947.

#### [CHAPTER 45]

#### AN ACT

To suspend certain import taxes on copper.

April 29, 1947  
[H. R. 2404]  
[Public Law 42]

53 Stat. 415.  
26 U. S. C. § 3425.  
*Post*, p. 917.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the import tax imposed under section 3425 of the Internal Revenue Code shall not apply with respect to articles (other than copper sulphate) entered for consumption or withdrawn from warehouse for consumption during the period beginning with the day following the date of the enactment of this Act and ending with the close of March 31, 1949.

Approved April 29, 1947.

#### [CHAPTER 46]

#### JOINT RESOLUTION

To restore the name of Hoover Dam.

April 30, 1947  
[H. J. Res. 140]  
[Public Law 43]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the name of Hoover Dam is hereby restored to the dam on the Colorado River in Black

Canyon constructed under the authority of the Boulder Canyon Project Act, approved December 21, 1928 (45 Stat. 1057), and referred to as Hoover Dam in the Act approved February 14, 1931 (46 Stat. 1146); in the Act approved April 22, 1932 (47 Stat. 118); in the Act approved July 1, 1932 (47 Stat. 535); in the Act approved July 21, 1932 (47 Stat. 717); and in the Act approved February 17, 1933 (47 Stat. 845). Any law, regulation, document, or record of the United States in which such dam is designated or referred to under the name of Boulder Dam shall be held to refer to such dam under and by the name of Hoover Dam.

Approved April 30, 1947.

43 U. S. C. §§ 617-617c.

[CHAPTER 47]

AN ACT

To provide for annual and sick leave for rural letter carriers.

April 30, 1947  
[S. 547]

[Public Law 44]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 6 of Public Law 134, Seventy-ninth Congress, chapter 274, first session, is hereby amended by adding the following paragraph to section 6 under the title "Annual Leave":

59 Stat. 436.  
39 U. S. C. § 856.

"The authorized absence of a rural carrier on Saturdays which occur within or at the beginning or end of a period of sick or annual leave of five or more days' duration (or four days' duration if a holiday falls within or at the beginning or end of the period of sick or annual leave) shall be without charge to such leave or loss of compensation: *Provided*, That Saturdays occurring in a period of annual or sick leave taken in a smaller number of days may at the option of the carrier be charged to his accrued leave and when so charged he shall be paid for such absence."

Absence of rural carriers on Saturdays.

SEC. 2. The amendment made by this Act shall take effect as of February 1, 1947.

Effective date.

Approved April 30, 1947.

[CHAPTER 48]

AN ACT

Authorizing the Commissioners of the District of Columbia to establish daylight saving time in the District of Columbia during 1947.

April 30, 1947  
[S. 736]

[Public Law 45]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, for the purpose of determining whether or not daylight saving time should be established in the District of Columbia during the year 1947, the Commissioners of the District shall conduct open hearings at which the residents of the District and those in neighboring counties who may be affected may express their views on the establishment of such time.

Daylight saving time, D. C. Hearings.

SEC. 2. If, as a result of the hearings held pursuant to the first section of this Act, the Commissioners should decide that daylight saving time should be established in the District during the year 1947, the Commissioners are authorized to advance the standard time for the District one hour for any period of the year 1947 not earlier than the last Sunday of April of such year and not later than the last Sunday of September of such year. Any such time established by the Commissioners pursuant to this Act shall, during the period for which it is applicable, be considered the standard time for the District of Columbia.

Authority of Commissioners.

Publication of findings, etc.

The Commissioners shall forthwith proceed in the exercise of the authority herein contained and shall, as soon as practicable, publish their findings and orders thereunder.

Approved April 30, 1947.

[CHAPTER 49]

AN ACT

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes.

May 1, 1947  
[H. R. 2849]  
[Public Law 46]

First Deficiency Appropriation Act, 1947.  
*Post*, p. 118.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes, namely:

TITLE I—GENERAL APPROPRIATIONS

LEGISLATIVE

SENATE

Special telephone wiring plans.

The Sergeant at Arms is authorized to install in the offices of Senators, and in other offices of the Senate as approved by the Committee on Rules and Administration, special telephone wiring plans with features to pick up, hold, and intercommunicate, the cost thereof to be paid out of the appropriation for "Miscellaneous items, contingent expenses of the Senate".

60 Stat. 392.  
*Post*, p. 106.

60 Stat. 391.  
Priority.

For an additional amount for furniture and repairs, fiscal year 1947, \$5,000: *Provided*, That hereafter the Sergeant at Arms of the Senate, in expending this and other appropriations under his control, shall be accorded the same priority as granted agencies in the executive branch of the Government under the Surplus Property Act of 1944, as amended.

58 Stat. 765.  
50 U. S. C. app.  
§§ 1611-1646.  
*Post*, p. 678.

56 Stat. 750.  
40 U. S. C. §§ 174f-174j.

Senate Restaurants: For payment to the Architect of the Capitol in accordance with the Act approved September 9, 1942 (Public Law Numbered 709, Seventy-seventh Congress), fiscal year 1947, \$30,000.

For an additional amount for mail transportation, fiscal year 1947, \$4,500.

60 Stat. 393.

Stationery: For an additional allowance for stationery of \$300 for each Senator and the President of the Senate, for the first session of the Eightieth Congress, \$29,100, to remain available until June 30, 1948.

HOUSE OF REPRESENTATIVES

SALARIES OF MEMBERS AND DELEGATES

60 Stat. 393.  
*Post*, p. 611.

For an additional amount for compensation of Members of the House of Representatives, Delegates from Territories, and the Resident Commissioner from Puerto Rico, fiscal year 1947, \$548,750.

CONTINGENT EXPENSES OF THE HOUSE

60 Stat. 397.

58 Stat. 765.  
50 U. S. C. app.  
§§ 1611-1646.  
*Post*, p. 678.  
Priority.

For furniture, carpets, and equipment, fiscal year 1947 and to remain available until June 30, 1948, \$35,000, to be expended in procuring surplus property in accordance with the Surplus Property Act of 1944, as amended, and hereafter the Clerk of the House of Representatives, in expending this and other appropriations under his control shall be accorded the same priority as granted agencies in the executive branch of the Government under such Act.

Stationery: For an additional allowance for stationery of \$300 for each Representative, Delegate, and the Resident Commissioner from Puerto Rico, for the first session of the Eightieth Congress, \$131,400, to remain available until June 30, 1948.

60 Stat. 398.  
*Post*, p. 611.

#### ARCHITECT OF THE CAPITOL

##### CAPITOL BUILDINGS AND GROUNDS

House Office Buildings: For an additional amount, fiscal year 1947, for "House Office Buildings", including the objects specified under this head in the Legislative Branch Appropriation Act, 1947, \$12,600.

60 Stat. 401.

#### THE JUDICIARY

##### COURT OF CLAIMS

Repairs and improvements: For an additional amount, fiscal year 1947, for "Repairs and improvements", for replacement of boiler, \$12,500, to be expended under the supervision of the Architect of the Capitol.

60 Stat. 477.

##### TERRITORIAL COURTS

Hawaii: For an additional amount, fiscal year 1947, for "Territorial Courts, Hawaii", \$1,188.

60 Stat. 477.

##### MISCELLANEOUS ITEMS OF EXPENSE

Salaries, court reporters: For an additional amount, fiscal year 1947, for "Salaries, court reporters", \$15,000.

60 Stat. 479.

#### EXECUTIVE OFFICE OF THE PRESIDENT

##### BUREAU OF THE BUDGET

Printing and binding: For an additional amount, fiscal year 1947, for "Printing and binding", \$38,000.

60 Stat. 61.

##### OFFICE FOR EMERGENCY MANAGEMENT

##### PHILIPPINE ALIEN PROPERTY ADMINISTRATION

Administrative expenses, Philippine Alien Property Administration: The Philippine Alien Property Administrator is hereby authorized to pay out of any funds or other property or interest vested in him or transferred to him, necessary expenses incurred in carrying out the powers and duties conferred on him pursuant to the Trading with the Enemy Act, as amended (50 U. S. C. App.), and the Philippine Property Act of 1946 (60 Stat. 418): *Provided*, That not to exceed \$269,500 shall be available for the fiscal year 1947 for the general administrative expenses of the Philippine Alien Property Administration, including the salary of the Administrator at \$10,000 per annum; printing and binding; purchase of two passenger motor vehicles; not to exceed \$400 for deposit in the Treasury for cost of penalty mail as required by the Act of June 28, 1944; rent in the District of Columbia; employment outside the United States of persons without regard to the civil service and classification laws, including temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); personal services in the District of Columbia; and expenses of attendance at meetings of organizations concerned with the work of the agency: *Provided further*, That in

40 Stat. 411.  
50 U. S. C. app.  
§§ 1-38.  
22 U. S. C. §§ 1381-1386.

58 Stat. 394.  
39 U. S. C. §§ 321c-321h.

60 Stat. 810.  
5 U. S. C. § 55a.



order to reimburse the Office of Alien Property, Department of Justice, in connection with the administration of property in the Philippine Islands for the period July 1 to October 14, 1946, the limitation on administrative expenses for the Office of Alien Property, Department of Justice, is hereby increased in the amount of \$40,000, such amount being withheld from the property transferred to the Philippine Alien Property Administrator.

## INDEPENDENT OFFICES

### CIVIL SERVICE COMMISSION

Panama Canal construction annuity fund: For payment of annuities authorized by the Act of May 29, 1944 (58 Stat. 257), as amended by the Act of August 7, 1946 (Public Law 619), fiscal year 1947, \$408,743.

60 Stat. 873.  
48 U. S. C. §§ 1373,  
1373a.

### FEDERAL SECURITY AGENCY

#### FOOD AND DRUG ADMINISTRATION

Certification services: For an additional amount, fiscal year 1947, for "Certification services", \$55,000.

60 Stat. 687.

#### FREEDMEN'S HOSPITAL

Salaries and expenses: For an additional amount, fiscal year 1947, for "Salaries and expenses", \$390,500: *Provided*, That the limitation under this head on the amount available for transfer to the Federal Works Agency is hereby increased to \$115,000, and, effective as of July 1, 1946, payments to the appropriations of Howard University for the actual cost of heat, light, and power furnished by such University and the transfer of funds to the appropriation "Salaries, Howard University" in the Federal Security Appropriation Act, 1947, for salaries of technical and professional personnel detailed to the hospital are hereby authorized.

60 Stat. 688.  
Transfer of funds.

60 Stat. 688.

#### HOWARD UNIVERSITY

Salaries: For an additional amount, fiscal year 1947, for "Salaries, Howard University", \$275,364.

60 Stat. 688.

#### OFFICE OF VOCATIONAL REHABILITATION

Payments to States, Vocational Rehabilitation Act, as amended: For an additional amount, fiscal year 1947, for "Payments to States, Vocational Rehabilitation Act, as amended", \$600,000: *Provided*, That the limitation on the amount available for providing rehabilitation services to disabled residents of the District of Columbia under section 6 of the Vocational Rehabilitation Act is hereby increased to \$147,961.

41 Stat. 735; 60 Stat.  
689.  
29 U. S. C. §§ 31-44.

41 Stat. 737.  
29 U. S. C. § 36 and  
note.

#### SOCIAL SECURITY ADMINISTRATION

Grants to States for old-age assistance, aid to dependent children, and aid to the blind: For an additional amount, fiscal year 1947, for "Grants to States for old-age assistance, aid to dependent children, and aid to the blind", \$135,000,000.

60 Stat. 694.

Grants to States for unemployment compensation administration: For an additional amount, fiscal year 1947, for "Grants to States for unemployment compensation administration", \$9,064,000.

## FEDERAL WORKS AGENCY

## PUBLIC BUILDINGS ADMINISTRATION

Salaries and expenses, public buildings and grounds in the District of Columbia and adjacent area: For an additional amount, fiscal year 1947, for "Salaries and expenses, public buildings and grounds in the District of Columbia and adjacent area", \$2,700,000.

60 Stat. 67.

Equipment, National Archives Building: For additional equipment, National Archives Building, \$80,000.

## PUBLIC ROADS ADMINISTRATION

Damage claims: For the payment of claims for damage to roads and highways under the Defense Highway Act of 1941, as amended (23 U. S. C. 110), as follows: "The Commissioner of Public Roads is authorized to reimburse the several States for the necessary rehabilitation or repair of roads and highways of States or their subdivisions substantially damaged by the Army, or the Navy, or both, by any other agency of the Government, and so forth", as fully set forth in Senate Document Numbered 37, and House Document Numbered 123, Eightieth Congress, \$762,181.66.

55 Stat. 768.

## INDIAN CLAIMS COMMISSION

Salaries and expenses: For expenses necessary, fiscal year 1947, to carry out the purposes of the Act of August 13, 1946 (Public Law 726), creating an Indian Claims Commission, including personal services in the District of Columbia; printing and binding; and penalty mail costs as required by the Act of June 28, 1944, \$15,000.

60 Stat. 1039.  
25 U. S. C. §§ 70-70v; 28 U. S. C. §§ 259, 259a.

58 Stat. 394.  
39 U. S. C. §§ 321c-321h.

## NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

Salaries and expenses: The limitation on the amount available for travel under the appropriation, "Salaries and expenses, National Advisory Committee for Aeronautics", fixed by section 105 of the Independent Offices Appropriation Act, 1947, is hereby increased to \$175,000.

Travel expenses.

60 Stat. 78.

## NATIONAL MEDIATION BOARD

Arbitration, emergency, and emergency panel boards: For an additional amount, fiscal year 1947, for "Arbitration, emergency, and emergency panel boards", \$60,800.

60 Stat. 699.

## NATIONAL RAILROAD ADJUSTMENT BOARD

Printing and binding: For an additional amount, fiscal year 1947, for "Printing and binding", \$21,500.

60 Stat. 699.

## PANAMA RAILROAD COMPANY

## ADMINISTRATIVE EXPENSES

The amount available to the Panama Railroad Company for administrative expenses, fiscal year 1947, is hereby increased by \$175,000.

60 Stat. 588.

## RAILROAD RETIREMENT BOARD

Salaries: For an additional amount, fiscal year 1947, for "Salaries", \$1,522,000.

60 Stat. 699.

60 Stat. 699.

Miscellaneous expenses (other than salaries): For an additional amount, fiscal year 1947, for "Miscellaneous expenses (other than salaries)", \$321,000.

60 Stat. 700.

Printing and binding: For an additional amount, fiscal year 1947, for "Printing and binding", \$10,000.

60 Stat. 700.

Penalty mail costs: For an additional amount, fiscal year 1947, for deposit in the general fund of the Treasury for the cost of penalty mail of the Railroad Retirement Board, \$28,000.

#### SMITHSONIAN INSTITUTION

60 Stat. 74.

Salaries and expenses, National Gallery of Art: For an additional amount, fiscal year 1947, for "Salaries and expenses, National Gallery of Art", \$10,430.

#### VETERANS' ADMINISTRATION

60 Stat. 75.  
*Ante*, p. 17; *post*, p. 184.

Administration, medical, hospital, and domiciliary services: For an additional amount, fiscal year 1947, for "Administration, medical, hospital, and domiciliary services", \$142,258,000: *Provided*, That the amount available for the purchase of newspapers and periodicals other than legal newspapers, is increased to \$3,500; the amount available to repair, alter, improve, or provide facilities in the several hospitals and homes under the jurisdiction of the Veterans' Administration is increased to \$7,260,000; and the limitation on travel expenses imposed by section 105 of the Independent Offices Appropriation Act, 1947, is increased to \$13,019,000: *Provided further*, That no part of this appropriation shall be used to pay in excess of one hundred persons engaged in public relations work.

Travel expenses.

60 Stat. 78.

Printing and binding: For an additional amount, fiscal year 1947, for "Printing and binding", \$5,000,000.

60 Stat. 76.

Pensions: For an additional amount, fiscal year 1947, for "Pensions", \$241,665,000, to remain available until expended.

60 Stat. 76.

Readjustment benefits: For an additional amount, fiscal year 1947, for "Readjustment benefits", \$873,836,000, to remain available until expended.

60 Stat. 77.  
*Ante*, p. 17.

Military and naval insurance: For an additional amount, fiscal year 1947, for "Military and naval insurance", \$3,125,500, to remain available until expended.

60 Stat. 77.

National service life insurance: For an additional amount, fiscal year 1947, for "National service life insurance", \$535,710,000, to remain available until expended.

*Ante*, p. 17.

57 Stat. 44, 434.  
38 U. S. C. note foll.  
§ 739, p. 4269.  
*Post*, p. 180.

Vocational rehabilitation revolving fund: To increase the "Vocational rehabilitation revolving fund (Act of March 24, 1943)," created by the Urgent Deficiency Appropriation Act, 1943, \$300,000.

#### DISTRICT OF COLUMBIA

##### GENERAL ADMINISTRATION

60 Stat. 502.

Executive office: The appropriation "Executive office" in the District of Columbia Appropriation Act, 1947, shall be available for the payment of salaries of members of the apprenticeship council appointed under the provisions of Public Law 387, approved May 21, 1946.

60 Stat. 204.

##### FISCAL SERVICE

58 Stat. 510.

Collector's office: For an additional amount, fiscal year 1945, for the "Collector's office", \$1,056.55.

59 Stat. 272.

Collector's office: For an additional amount, fiscal year 1946, for the "Collector's office", \$1,405.91.

## REGULATORY AGENCIES

60 Stat. 503, 504.

Coroner's office: For an additional amount, fiscal year 1947, for "Coroner's office", \$3,300.

Department of Weights, Measures, and Markets: For an additional amount, fiscal year 1947, for the "Department of Weights, Measures, and Markets", \$1,695.

License bureau: For an additional amount, fiscal year 1947, for "License bureau", \$1,565.

Minimum Wage and Industrial Safety Board: For an additional amount, fiscal year 1947, for "Minimum Wage and Industrial Safety Board", \$600.

Poundmaster's office: For an additional amount, fiscal year 1947, for "Poundmaster's office", \$2,900.

## PUBLIC SCHOOLS

60 Stat. 504, 505.

General supervision and instruction: For an additional amount, fiscal year 1947, for "General supervision and instruction", \$61,480.

Repairs and maintenance of buildings and grounds: For an additional amount, fiscal year 1947, for "Repairs and maintenance of buildings and grounds", \$53,000.

## PUBLIC LIBRARY

Operating expenses: For an additional amount, fiscal year 1947, for "Operating expenses", \$14,904.

60 Stat. 507.

## RECREATION DEPARTMENT

Operating expenses: For an additional amount, fiscal year 1947, for "Operating expenses", \$63,700.

60 Stat. 508.

## FIRE DEPARTMENT

Operating expenses: For an additional amount, fiscal year 1947, for the Fire Department, \$3,800.

60 Stat. 509.

## POLICEMEN'S AND FIREMEN'S RELIEF

Policemen's and firemen's relief: For an additional amount, fiscal year 1947, for policemen's and firemen's relief, \$560,000.

60 Stat. 509.

## VETERANS' SERVICES

Salaries and expenses: For an additional amount, fiscal year 1947, for salaries and expenses for services to veterans and war workers, including housing services, \$12,378.

60 Stat. 509.

## COURTS

Office of Register of Wills: For an additional amount, fiscal year 1947, for "Office of Register of Wills", \$3,400.

60 Stat. 510.

## DEPARTMENT OF CORRECTIONS

Operating expenses, Adult Correctional Service: For an additional amount, fiscal year 1947, for "Operating expenses, Adult Correctional Service", \$95,560.

60 Stat. 514.

## PUBLIC WELFARE

60 Stat. 512. Public assistance and children's services: For an additional amount, fiscal year 1947, for "Public assistance and children's services", \$155,200.

60 Stat. 514. Saint Elizabeths Hospital: For an additional amount, fiscal year 1947, for "Saint Elizabeths Hospital", \$2,234,000.

## PUBLIC WORKS

60 Stat. 515. Operating expenses, Office of Superintendent of District Buildings: For an additional amount, fiscal year 1947, for "Operating expenses, Office of Superintendent of District Buildings", \$7,700.

59 Stat. 286. Surveyor's office: For an additional amount, fiscal year 1946, for "Surveyor's office", \$100.

60 Stat. 516. Central garage: For an additional amount, fiscal year 1947, for "Central garage", \$3,200.

60 Stat. 518. Department of Vehicles and Traffic (payable from highway fund): For an additional amount, fiscal year 1947, for "Department of Vehicles and Traffic", \$9,900.

60 Stat. 519. Operating expenses, Refuse Division: For an additional amount, fiscal year 1947, for "Operating expenses, Refuse Division", \$350,000.

60 Stat. 519. Operating expenses, Sewer Division: For an additional amount, fiscal year 1947, for "Operating expenses, Sewer Division", \$40,100.

60 Stat. 519. Capital outlay, Sewer Division: For an additional amount, fiscal year 1947, for "Capital outlay, Sewer Division", \$30,000.

60 Stat. 520. Operating expenses, Water Division (payable from water fund): For an additional amount, fiscal year 1947, for "Operating expenses, Water Division", \$86,300.

60 Stat. 520. Capital outlay, Water Division (payable from water fund): For an additional amount, fiscal year 1947, for "Capital outlay, Water Division", \$150,000.

## WASHINGTON AQUEDUCT

60 Stat. 520. Operating expenses (payable from water fund): For an additional amount, fiscal year 1947, for "Operating expenses, Washington Aqueduct", \$52,000.

## NATIONAL CAPITAL PARKS

60 Stat. 521. National Capital Parks: For an additional amount, fiscal year 1947, for "National Capital Parks", \$55,000.

## SETTLEMENT OF CLAIMS AND SUITS

45 Stat. 1160. For the payment of claims in excess of \$250, approved by the Commissioners in accordance with the provisions of the Act of February 11, 1929, as amended (46 Stat. 500), \$1,073.99.  
D. C. Code §§ 1-902 to 1-905.

## JUDGMENTS

For the payment of final judgments, rendered against the District of Columbia, as set forth in House Document Numbered 107, together with such further sum as may be necessary to pay the interest at not exceeding 4 per centum per annum on such judgments, as provided by law, from the date the same became due until the date of payment, \$2,632.30.

## AUDITED CLAIMS

For the payment of the following claims, certified to be due by the accounting officers of the District of Columbia, under the appropriations listed below, the balances of which have been exhausted

or carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), being for the service of the fiscal year 1944 and prior fiscal years, as follows:

Refund of erroneous collections, District of Columbia, 1944, \$11.24;  
Electrical Department, expenses, District of Columbia, 1944, \$640.78;

Health Department, medical services, District of Columbia, 1944, \$3.46;

Working capital fund, Workhouse and Reformatory, District of Columbia, 1944, \$1,813;

Department of Vehicles and Traffic, expenses, highway fund, District of Columbia, 1944 (payable from highway fund), \$441.15;

Refunding water rents, District of Columbia, 1944 (payable from water fund), \$18.23;

Miscellaneous expenses, Freedmen's Hospital, District of Columbia, 1944, \$75;

Health Department, medical services, District of Columbia, 1943, \$134.64;

Gallinger Municipal Hospital, salaries, District of Columbia, 1943, \$3.43;

Miscellaneous expenses, Freedmen's Hospital, District of Columbia, 1943, \$8.08;

Public schools, expenses, District of Columbia, 1942 and 1943, \$17.10;

Health Department, medical services, District of Columbia, 1942, \$2.12;

Miscellaneous expenses, Freedmen's Hospital, District of Columbia, 1942, \$146.10;

In all, \$3,314.33.

#### DIVISION OF EXPENSES

The sums appropriated in this Act for the District of Columbia, shall, unless otherwise specifically provided, be paid out of the general fund of the District of Columbia, as defined in the District of Columbia Appropriation Act, 1947.

#### DEPARTMENT OF AGRICULTURE

For an additional amount, fiscal year 1947, to enable the Secretary of Agriculture to carry out the provisions of the National School Lunch Act of 1946, \$6,000,000.

#### TUSSECK MOTH CONTROL

For expenses necessary to enable the Secretary of Agriculture to carry out operations, independently or in cooperation with State agencies, associations, organizations, or individuals, to combat an outbreak of tussock moth, fiscal year 1947, \$395,000, to remain available until December 31, 1947: *Provided*, That no part of this appropriation may be used to pay the cost of property injured or destroyed.

#### FOREST SERVICE

National forest protection and management: The sum of \$410,000 is hereby transferred from the appropriation "Acquisition of Lands for National Forests under Week's Act" to the appropriation "National forest protection and management".

Control of tree insect epidemics, national forests: For control of epidemics of tree-destroying insects on or threatening the national forests, fiscal year 1947, \$282,500, to remain available until December 31, 1947.

18 Stat. 110.

57 Stat. 319.

57 Stat. 321.

57 Stat. 327.

57 Stat. 331.

57 Stat. 338.

57 Stat. 344.

57 Stat. 500.

56 Stat. 439.

56 Stat. 440.

56 Stat. 571.

55 Stat. 508; 56 Stat. 432.

55 Stat. 516.

55 Stat. 479.

60 Stat. 501.

60 Stat. 230.  
42 U. S. C. §§ 1751-1760.

60 Stat. 285.

60 Stat. 284.

Fighting forest fires: For an additional amount for fighting forest fires, fiscal year 1947, \$3,944,000.

## DEPARTMENT OF COMMERCE

### BUREAU OF FOREIGN AND DOMESTIC COMMERCE

60 Stat. 471.

Export control: For an additional amount, fiscal year 1947, for "Export control", \$175,000, to be transferred from the appropriation "Field office service".

## DEPARTMENT OF THE INTERIOR

60 Stat. 1100.

### BUREAU OF LAND MANAGEMENT

60 Stat. 351.

Fire fighting: For an additional amount, fiscal year 1947, for "Fire fighting", \$56,000; and \$20,000 of the amount appropriated in the Interior Department Appropriation Act, 1947, under the head "Salaries and expenses", Grazing Service, for the payment to employees for accumulated or accrued annual leave is hereby transferred to this appropriation and shall be available for the purposes hereof.

### BUREAU OF INDIAN AFFAIRS

60 Stat. 355.

Suppressing forest and range fires: For an additional amount, fiscal year 1947, for "Suppressing forest and range fires", \$50,000.

60 Stat. 363.

### BUREAU OF RECLAMATION

#### OPERATION AND MAINTENANCE

Vale project, Oregon: For operation and maintenance of the Vale project, Oregon, fiscal year 1947, to remain available until June 30, 1948, \$59,800, from the Reclamation Fund, Special Fund, which amount may be expended for reimbursement to the Vale Oregon Irrigation District to the extent that funds may have been advanced by that District to the United States for operation and maintenance for the calendar year 1947.

### NATIONAL PARK SERVICE

60 Stat. 972.

Philadelphia National Shrines Park Commission: For necessary expenses, including printing and binding, to carry out the provisions of the Act approved August 9, 1946 (Public Law 711), as amended, \$10,000, to remain available until January 3, 1948.

## GOVERNMENT IN THE TERRITORIES

### TERRITORY OF ALASKA

59 Stat. 357.

Insane of Alaska: For an additional amount, fiscal year 1946, for "Insane of Alaska", \$650.

60 Stat. 382.

Insane of Alaska: For an additional amount, fiscal year 1947, for "Insane of Alaska", \$80,900.

### GOVERNMENT OF THE VIRGIN ISLANDS

60 Stat. 384.

Municipal government of Saint Croix: For an additional amount, fiscal year 1947, for "Municipal government of Saint Croix", \$64,000.

## DEPARTMENT OF JUSTICE

## DAMAGE CLAIMS

Damage claim: For the payment of a claim for damages to privately owned property adjusted and determined by the Attorney General of the United States under the provisions of the Act entitled "An Act to provide for the adjustment and settlement of certain claims arising out of the activities of the Federal Bureau of Investigation", approved March 20, 1936 (31 U. S. C. 224b), as fully set forth in House Document Numbered 121, Eightieth Congress, \$45.60.

Privately owned property.

49 Stat. 1184.

Damage claim: For the payment of a claim for personal injuries adjusted and determined by the Attorney General of the United States under the provisions of the Act entitled "An Act to provide for the adjustment and settlement of certain claims arising out of the activities of the Federal Bureau of Investigation", approved March 20, 1936 (31 U. S. C. 224b), as fully set forth in Senate Document Numbered 29, Eightieth Congress, \$50.

Personal injuries.

*Supra.*

## DEPARTMENT OF LABOR

## NATIONAL WAR LABOR BOARD

The limitation upon the amount which may be expended for printing and binding in the appropriation "Salaries and expenses", National War Labor Board, fiscal year 1946, is hereby increased from \$30,000 to \$49,000 so as to authorize the completion under said appropriation of the National War Labor Board termination report and war history at a total cost of not exceeding \$39,600.

59 Stat. 473.

## NAVY DEPARTMENT

## NAVAL ESTABLISHMENT

## OFFICE OF THE SECRETARY

Damage claims: For the payment of claims for damage to or loss or destruction of property or personal injury or death adjusted and determined by the Secretary of the Navy under the provisions of the Act entitled "An Act to provide the Navy with a system of laws for the settlement of claims uniform with that of the Army", approved December 28, 1945, Public Law 277, Seventy-ninth Congress, as fully set forth in Senate Document Numbered 36, and House Document Numbered 133, Eightieth Congress, \$49,657.80.

59 Stat. 662.  
31 U. S. C. §§ 215-  
217 notes, 222e, 222f,  
223d.

Damage claims: For payment of claims for death or personal injury, under the provisions of Public Law 224, approved November 15, 1945 (59 Stat. 582), as fully set forth in Senate Document Numbered 34, Eightieth Congress, \$61,478.26.

## GENERAL PROVISIONS

There are hereby transferred between appropriations of the Navy Department and Naval Establishment sums as follows:

From "Naval Reserve Officers' Training Corps, 1947", to—

60 Stat. 483.

"Naval War College, 1947", \$23,000;

"Naval training station, San Diego, California, 1947", \$77,000;

"Naval training station, Newport, Rhode Island, 1947", \$75,000;

"Naval training station, Great Lakes, Illinois, 1947", \$175,000;



“Naval training station, Port Deposit, Maryland, 1947”, \$150,000;  
 “Instruction, Navy, 1947”, \$300,000;  
 “Pay, Naval Academy, 1947”, \$208,000;  
 “Salaries, Hydrographic Office, 1947”, \$200,000;  
 In all from “Naval Reserve Officers’ Training Corps, 1947”,  
 \$1,208,000.

60 Stat. 485.

From “Ordnance and ordnance stores, Navy, 1947”, to “Pay, Marine Corps, 1947”, \$2,500,000.

60 Stat. 487.

From “Transportation and recruiting of naval personnel, 1947”, to—  
 “Pay, Naval Academy, 1947”, \$42,000;  
 “Maintenance, Naval Academy, 1947”, \$200,000;  
 “Naval Home, Philadelphia, Pennsylvania, 1947”, \$20,000;  
 “Pay of civil force, Offices of Commandant of the Marine Corps and Director of Personnel, 1947”, \$50,000;  
 “Pay of civil force, Office of Quartermaster General, Marine Corps, 1947”, \$70,000;  
 “Salaries, Office of the Secretary of the Navy, 1947”, \$626,000;  
 “Salaries, General Board, Navy Department, 1947”, \$3,200;  
 “Salaries, Naval Examining and Retiring Boards, 1947”, \$2,500;  
 “Salaries, Office of Judge Advocate General, Navy, 1947”, \$60,825;  
 “Salaries, Board of Inspection and Survey, Navy Department, 1947”, \$4,400;  
 “Salaries, Office of Director of Naval Communications, 1947”, \$200,000;  
 “Salaries, Office of Naval Intelligence, 1947”, \$150,000;  
 “Salaries, Bureau of Naval Personnel, 1947”, \$350,000;  
 “Salaries, Naval Observatory, 1947”, \$45,500;  
 “Salaries, Bureau of Ordnance, 1947”, \$260,000;  
 “Salaries, Bureau of Supplies and Accounts, 1947”, \$700,000;  
 “Salaries, Bureau of Medicine and Surgery, 1947”, \$150,000;  
 In all from “Transportation and recruiting of naval personnel, 1947”, \$2,934,425.

60 Stat. 489.

From “Transportation of things, 1947”, to—  
 “Maintenance, Bureau of Supplies and Accounts, 1947”, \$9,000,000;  
 “Care of mental patients, Navy, 1947”, \$233,000;  
 “Maintenance, Bureau of Yards and Docks, 1947”, \$1,900,000;  
 “Salaries, Office of Chief of Naval Operations, 1947”, \$240,000;  
 In all from “Transportation of things, 1947”, \$11,373,000.

60 Stat. 491.

From “Aviation, Navy, 1947”, to—  
 “Maintenance, Bureau of Supplies and Accounts, 1947”, \$20,000,000;  
 “Pay, Marine Corps, 1947”, \$5,000,000;  
 In all from “Aviation, Navy, 1947”, \$25,000,000.

60 Stat. 489.

From “Naval procurement fund”, to—  
 “Miscellaneous expenses, Navy, 1947”, \$250,000;  
 “Pay and subsistence of naval personnel, 1947”, \$103,000,000;  
 “Fuel, Navy, 1946”, \$29,531,000;  
 “Medical Department, Navy, 1947”, \$4,000,000;  
 “Pay, Marine Corps, 1947”, \$27,500,000;  
 “Salaries, Bureau of Ships, 1947”, \$350,000;

59 Stat. 210.

In all from “Naval procurement fund”, \$164,631,000.

60 Stat. 486.

From “Clothing and small stores fund,” to “Pay and subsistence of naval personnel, 1947”, \$71,000,000.

## BUREAU OF SHIPS

*Post*, p. 700.  
 60 Stat. 485.

Not to exceed \$300,000 of the appropriation, “Maintenance, Bureau of Ships, 1947”, shall be available for the purchase of mechanical tabulating equipment for use in the Navy Department.

## BUREAU OF SUPPLIES AND ACCOUNTS

## PAY AND SUBSISTENCE OF NAVAL PERSONNEL

During the fiscal year 1947 the limitations applicable to rates for Navy rations shall be those prescribed by the Secretary of the Navy in accordance with section 17 (a) of the Act of August 2, 1946 (Public Law 604), other rates fixed under this head in the Naval Appropriation Act, 1947, to the contrary notwithstanding.

60 Stat. 855.  
34 U. S. C. § 901a.

60 Stat. 486.

## POST OFFICE DEPARTMENT

(Out of the Postal Revenues)

For additional amounts for appropriations of the Post Office Department for the fiscal year 1947, as follows:

## POST OFFICE DEPARTMENT, WASHINGTON, DISTRICT OF COLUMBIA

Salaries, Office of the Solicitor for the Post Office Department, \$10,000.

60 Stat. 580.

## FIELD SERVICE, POST OFFICE DEPARTMENT

## OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL

60 Stat. 581, 582.

Compensation to postmasters, \$1,518,100.

Clerks, first- and second-class post offices, \$11,124,600.

*Post*, p. 112.

Clerks, third-class post offices, \$46,000.

Carfare and bicycle allowance, \$375,500.

Rural Delivery Service, \$3,832,100.

## OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

60 Stat. 583.

Foreign mail transportation: Not to exceed \$17,000 of the appropriation "Foreign mail transportation", fiscal year 1947, is hereby made available for expenses of delegates designated from the Post Office Department by the Postmaster General to the Twelfth Congress of the Universal Postal Union, to be expended in the discretion of the Postmaster General and accounted for on his certificate, which certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended, which amount shall be available until September 30, 1947.

*Post*, pp. 112, 709.

Foreign air-mail transportation, \$1,000,000.

*Post*, p. 186.

## OFFICE OF THE THIRD ASSISTANT POSTMASTER GENERAL

Manufacture and distribution of stamps and stamped paper, \$1,769,400.

60 Stat. 583.

## OFFICE OF THE FOURTH ASSISTANT POSTMASTER GENERAL

Post Office stationery, equipment, and supplies, \$600,000.

60 Stat. 583.

For an additional amount for equipment shops, Washington, District of Columbia, including the same objects specified under this head in the Post Office Department Appropriation Act, 1947, \$300,000: *Provided*, That the limitation on the amount that may be expended for personal services in the District of Columbia is increased from \$869,500 to \$932,800: *Provided further*, That this limitation is exclusive of the amount required to meet increased pay costs provided for in Public Law 25 of the Eightieth Congress.

60 Stat. 584.  
Personal services.

*Ante*, p. 29.

## TREASURY DEPARTMENT

## OFFICE OF THE SECRETARY

## SUBSCRIPTIONS TO CAPITAL STOCK, FEDERAL CROP INSURANCE CORPORATION

52 Stat. 72.

Subscriptions to capital stock, Federal Crop Insurance Corporation: To enable the Secretary of the Treasury to subscribe and pay for capital stock of the Federal Crop Insurance Corporation, as provided in section 504 of the Federal Crop Insurance Act (7 U. S. C. 1504), fiscal year 1947, \$20,000,000.

## BUREAU OF CUSTOMS

60 Stat. 572.

Salaries and expenses: For an additional amount, fiscal year 1947, for "Collecting the revenue from customs", \$850,000, and the amount which may be expended for personal services in the District of Columbia is hereby increased from "\$758,000" to "\$815,000".

## WAR DEPARTMENT

## MILITARY ACTIVITIES

## OFFICE OF THE SECRETARY OF WAR

57 Stat. 372.

Damage claims: For the payment of claims for damage to or loss or destruction of property or personal injury or death adjusted and determined by the Secretary of War under the provisions of the Act entitled "An Act to provide for the settlement of claims for damage to or loss or destruction of property or personal injury or death caused by military personnel or civilian employees, or otherwise incident to activities of the War Department or of the Army", approved July 3, 1943 (31 U. S. C. 223b), as fully set forth in Senate Document Numbered 30, and House Document Numbered 122, Eightieth Congress, \$193,375.28.

55 Stat. 880; 57 Stat. 66.

Damage claim: For the payment of a claim for personal injury and damage to privately owned property, adjusted and determined by the Secretary of War under the Act entitled "An Act to provide for the prompt settlement of claims for damages occasioned by Army, Navy, and Marine Corps forces in foreign countries", approved January 2, 1942, as amended April 22, 1943 (31 U. S. C. 224d), as fully set forth in Senate Document Numbered 39, Eightieth Congress, \$8,000.

## FINANCE DEPARTMENT

60 Stat. 542.

## FINANCE SERVICE, ARMY

Pay of the Army: For an additional amount, fiscal year 1947, for "Pay of the Army", \$465,000,000.

Air transportation  
to U. S. of depend-  
ents.

Pay of the Army: For an additional amount, fiscal year 1947, for "Pay of the Army", \$1,000,000, which shall be used for expediting the transportation to the United States by air of dependents of military personnel (war spouses and their children).

## SALARIES, WAR DEPARTMENT

60 Stat. 562.

The limitation in the last paragraph under the head "Salaries, War Department", in the Military Appropriation Act, 1947, on the amount which may be expended for personal services at the seat of government, other than for field service employees, is hereby increased

from "\$48,309,800" to "\$51,000,000": *Provided*, That this limitation shall not apply to amounts used for employees of other agencies paid from funds transferred thereto from appropriations available for the Military Establishment.

Employees of other agencies.

#### GOVERNMENT AND RELIEF IN OCCUPIED AREAS

Government and relief in occupied areas: For an additional amount for "Government and relief in occupied areas", fiscal year 1947, \$300,000,000: *Provided*, That not exceeding \$42,000,000 of the funds appropriated under this head shall be available for providing the necessary water transportation and transportation facilities including surplus ships which may be made available.

60 Stat. 560.

Water transportation.

#### GENERAL PROVISIONS

In addition to the transfers authorized by section 20 of the Military Appropriation Act, 1947, transfers may be made of not to exceed \$328,763,000 to the appropriation "Finance Service, Army", and of not to exceed \$5,500,000 to the appropriation "Medical and Hospital Department, Army", from appropriations as follows:

60 Stat. 566.

60 Stat. 542.

60 Stat. 551.

"Air Corps, Army", not to exceed \$135,000,000;

"Engineer Service, Army", not to exceed \$91,544,000;-

"Ordnance service and supplies, Army", not to exceed \$17,719,000;

"National Guard", not to exceed \$55,125,000;

"Organized Reserves", not to exceed \$30,000,000;

"Welfare of enlisted men", not to exceed \$4,875,000.

#### CIVIL FUNCTIONS

##### CEMETERIAL EXPENSES (ACT OF MAY 16, 1946)

The limitation in the appropriation "Cemeterial expenses (Act of May 16, 1946)", in the Third Urgent Deficiency Appropriation Act, 1946, on the amount which may be expended for personal services at the seat of government is hereby increased from "\$1,350,000" to "\$1,600,000": *Provided*, That section 607 of the Federal Employees Pay Act of 1945, as amended, shall not apply to personnel paid from this appropriation.

60 Stat. 182.

50 U. S. C. app.

§§ 1811-1816.

*Post*, pp. 687, 779.

60 Stat. 268.

59 Stat. 304.

5 U. S. C. § 947.

#### UNITED STATES SOLDIERS' HOME

Maintenance and operation: For an additional amount, fiscal year 1947, for maintenance and operation, United States Soldiers' Home, to be paid from the Soldiers' Home permanent fund, \$50,000.

60 Stat. 164.

#### PAYMENT OF CLAIMS, PART 2 OF FEDERAL TORT CLAIMS ACT

The appropriations for salaries and expenses or for miscellaneous, contingent, or general expenses of each Department and agency and funds provided for administrative expenses of corporations for the fiscal year 1947 shall be available for the payment (by each such Department, agency, or corporation) of claims pursuant to part 2 of the Federal Tort Claims Act of August 2, 1946, unless the payment of such claims is otherwise specifically provided for.

60 Stat. 843.

28 U. S. C. §§ 921,

922.

#### INCREASED PAY COSTS

For additional amounts for appropriations for the fiscal year 1947, to meet increased pay costs authorized by the Acts of March 6, 1946 (Public Law 317); May 21, 1946 (Public Law 386); May 24, 1946

60 Stat. 35, 203, 216.

39 U. S. C. §§ 856a,

862a, 862b, 867a, 877,

878; 5 U. S. C. §§ 672b-

673, 902 *et seq.*

*Ante*, p. 40; *post*, p.

727.

60 Stat. 480, 716, 717,  
749, 752.  
5 U. S. C. §§ 645,  
645b; 28 U. S. C. §§ 5,  
213, 241, 296, 301, 324,  
597-597c.

(Public Law 390); July 5, 1946 (Public Law 491); July 31, 1946 (Public Laws 567, 568, and 577); and August 1, 1946 (Public Law 582); and other legislation enacted during or applicable to said fiscal year authorizing increases in pay of Government officers and employees, as follows:

#### LEGISLATIVE BRANCH

Senate: "Salaries and expenses of detailed police, Capitol Police Board", \$300.

#### FEDERAL SECURITY AGENCY

60 Stat. 694.

"Salaries, Bureau of Old-Age and Survivors Insurance" (increase of \$3,285,000 in the limitation upon the amount of the Federal Old-Age and Survivors Trust Fund which may be used for salaries).

Transfer of funds.

There are hereby transferred between appropriations of the Federal Security Agency sums as follows:

From:

60 Stat. 690.

Public Health Service:

"Commissioned officers, pay, and so forth", \$400,000;

"Training for nurses", \$3,500,000;

60 Stat. 693.

Saint Elizabeths Hospital: "Salaries and expenses", \$1,000,000;

60 Stat. 681.

Social Security Administration:

"Salaries and expenses, maternal and child welfare", \$106,000;

"Grants to States for child welfare services", \$495,930.

To:

60 Stat. 697.

Bureau of Employees' Compensation: "Salaries and expenses", \$153,000;

60 Stat. 687.

Columbia Institution for the Deaf: "Salaries and expenses", \$26,000;

60 Stat. 687.

Food and Drug Administration:

"Enforcement operations", \$409,700;

"Certification services", \$37,000;

"General administration", \$16,500;

60 Stat. 688.

Freedmen's Hospital: "Salaries and expenses", \$119,400;

60 Stat. 688.

Howard University: "Salaries", \$181,600;

60 Stat. 688.

Office of Education: "Salaries and expenses", \$116,500;

60 Stat. 689.

Office of Vocational Rehabilitation:

"For payments to States", \$12,000;

"General administrative expenses", \$35,000;

"Salaries and expenses, services for blind function", \$3,500;

60 Stat. 690.

Public Health Service:

"Venereal diseases", \$258,400;

"Tuberculosis", \$99,000;

"Communicable diseases", \$425,900;

"Hospitals and medical care", \$1,789,500;

"Foreign quarantine service", \$237,500;

"National Institute of Health, operating expenses", \$279,400;

"National Cancer Institute, operating expenses", \$98,900;

"Salaries and miscellaneous expenses", \$220,100;

"Office of International Health Relations", \$3,830;

"Salaries and expenses, Vital Statistics, Office of Surgeon General", \$82,100;

60 Stat. 680, 694.

Social Security Administration:

"Salaries, Bureau of Public Assistance", \$134,000;

"Salaries, Bureau of Employment Security", \$95,000;

"Salaries and expenses, Children's Bureau", \$35,800;

"Salaries, consolidated operations, Social Security Administration", \$466,700;

Office of the Administrator:

60 Stat. 695.

"Salaries, Office of the Administrator", \$23,500;

“Salaries, Division of Personnel Management”, \$17,600;  
 “Salaries, Division of Service Operations”, \$39,000;  
 “Salaries, Office of the General Counsel”, \$85,500;

#### DEPARTMENT OF AGRICULTURE

##### Agricultural Research Administration:

###### Bureau of Animal Industry:

“Marketing agreements, hog cholera virus and serum” (increase in sum made available from appropriation made by section 12 (a) of the Agricultural Adjustment Act, approved May 12, 1933, from “\$37,300” to “\$42,500”);

60 Stat. 278.

48 Stat. 38.  
 7 U. S. C. § 612 (a).

Federal Intermediate Credit Banks: “Administrative expenses” (increase of \$85,000 in the limitation upon the amount of the corporate funds which may be used for administrative expenses);

60 Stat. 594.

Production Credit Corporations: “Administrative expenses” (increase of \$50,000 in the limitation upon the amount of the corporate funds which may be used for administrative expenses);

60 Stat. 594.

The Secretary of Agriculture is hereby authorized to transfer from appropriations available to the Department of Agriculture not to exceed the following specified amounts to the appropriations indicated:

Transfer of funds.

Office of the Secretary: “Salaries and expenses”, \$210,000;

60 Stat. 270.

Office of the Solicitor: “Salaries and expenses”, \$265,000;

60 Stat. 271.

Office of Information: “Salaries and expenses”, \$70,000;

60 Stat. 272.

Library, Department of Agriculture: “Salaries and expenses”, \$66,000;

60 Stat. 273.

###### Bureau of Agricultural Economics:

60 Stat. 273.

“Economic investigations”, \$250,000;

“Crop and livestock estimates”, \$240,000;

Office of Foreign Agricultural Relations: “Salaries and expenses”, \$78,000;

60 Stat. 274.

Extension Service: “Administration and coordination of extension work”, \$46,000;

60 Stat. 275.

###### Agricultural Research Administration:

60 Stat. 275.

Office of Administrator: “Salaries and expenses”, \$43,000;

“Special research fund, Department of Agriculture”, \$110,000;

Office of Experiment Stations:

“Administration of grants and coordination of research with States”, \$21,000;

“Federal Experiment Station, Puerto Rico”, \$7,000;

###### Bureau of Animal Industry:

60 Stat. 277.

“Animal Husbandry”, \$86,500;

“Diseases of animals”, \$64,500;

“Fur-resources investigations”, \$14,000;

“Inspection and quarantine”, \$134,000;

“Meat inspection”, \$1,240,000;

“Virus Serum Toxin Act”, \$40,000;

Bureau of Dairy Industry: “Salaries and expenses”, \$102,800;

60 Stat. 278.

Bureau of Plant Industry, Soils and Agricultural Engineering:

60 Stat. 279.

“Field Crops”, \$235,000;

“Fruit, vegetable, and specialty crops”, \$175,000;

“Forest diseases”, \$36,100;

“Soils, fertilizers, and irrigation”, \$145,000;

“Agricultural engineering”, \$53,000;

“National Arboretum”, \$9,900;

Bureau of Entomology and Plant Quarantine:

60 Stat. 280.

“Insect investigations”, \$273,000;

“Insect and plant disease control”, \$285,000;

“Foreign plant quarantines”, \$190,000;

- 60 Stat. 282. Bureau of Agricultural and Industrial Chemistry:  
 "Agricultural chemical investigations", \$50,000;  
 "Naval-stores investigations", \$16,000;  
 "Regional research laboratories", \$470,000;
- 60 Stat. 282. Bureau of Human Nutrition and Home Economics: "Salaries and expenses", \$90,000;
- 60 Stat. 283. Forest Service:  
 Salaries and expenses:  
 "General administrative expenses", \$72,000;  
 "National forest protection and management", \$2,300,000;  
 "Forest and range management investigations", \$250,000;  
 "Forest products", \$160,000;  
 "Farm and other private forestry cooperation", \$38,000;
- 60 Stat. 285. Federal Crop Insurance Corporation: "Operating expenses", \$450,000;
- 60 Stat. 587. Soil Conservation Service:  
 "Soil conservation research", \$145,000;  
 "Soil conservation operations", \$4,000,000;  
 "Land utilization and retirement of submarginal lands", \$106,000;
- 60 Stat. 290. Marketing services:  
 "Market news service", \$130,000;  
 "Market inspection of farm products", \$60,000;  
 "Marketing farm products", \$260,000;  
 "Tobacco Acts", \$125,000;  
 "Perishable Agricultural Commodities, Produce Agency, and Standard Container Acts", \$25,000;  
 "Cotton Statistics, Classing, Standards, and Futures Acts", \$125,000;  
 "United States Grain Standards Act", \$115,000;  
 "United States Warehouse Act", \$56,000;  
 "Federal Seed Act", \$15,500;  
 "Packers and Stockyards Acts", \$55,200;  
 "Naval Stores Act", \$4,300;  
 "Insecticide Act", \$31,000;  
 "Commodity Exchange Act", \$26,000;  
 "Freight rates for farm products", \$15,000;
- 60 Stat. 292. "Loans, grants, and rural rehabilitation", \$2,500,000;
- 60 Stat. 294. Farm tenancy: "Salaries and expenses", \$325,000;
- 60 Stat. 294. Rural Electrification Administration: "Salaries and expenses", \$550,000;
- 60 Stat. 295. Farm Credit Administration: "Salaries and expenses", \$40,000;

## DEPARTMENT OF COMMERCE

- 60 Stat. 465. Office of the Secretary: "Salaries and expenses", \$122,300, to be derived by transfer from "Technical and scientific services";
- 60 Stat. 466. Office of Administrator of Civil Aeronautics:  
 "General administration, Office of the Administrator", \$477,700;  
 "Maintenance and operation of air-navigation facilities", \$2,061,700 and, in addition, \$1,600,000 to be derived by transfer from "Maintenance and operation of air-navigation facilities (Executive Order 9709)";  
 "Technical development", \$48,000;  
 "Enforcement of safety regulations", \$486,000;  
 "Airport Advisory Service", \$25,400;  
 "Maintenance and operation of aircraft", \$72,100;  
 "Maintenance and operation, Washington National Airport", \$79,500;
- 60 Stat. 469. "Civil Aeronautics Board, salaries and expenses", \$158,600;
- 60 Stat. 469. Coast and Geodetic Survey:  
 "Salaries and expenses, departmental", \$287,100;  
 "Salaries and expenses, field", \$223,600;

## Bureau of Foreign and Domestic Commerce :

"Departmental salaries and expenses", \$506,000, to be derived by transfer from "Field office service";

Patent Office: "Salaries", \$165,000 and, in addition, \$467,000 to be derived by transfer from appropriations as follows: "Photolithographing", \$200,000; "Printing and binding", \$252,000; and "Miscellaneous expenses", \$15,000;

## National Bureau of Standards:

"Operation and administration", \$68,000;

"Testing, inspection, and information service", \$186,000;

"Research and development", \$121,000 and, in addition, \$100,000 to be derived from funds transferred to the National Bureau of Standards from the appropriation "Technical and scientific services";

"Standards for commerce", \$31,000;

Weather Bureau: "Salaries and expenses", \$962,000 and, in addition, \$750,000 to be derived by transfer from "Maintenance and operation of meteorological facilities (Executive Order 9709)";

Inland Waterways Corporation: "Administrative expenses" (increase of \$16,000 in the limitation upon the amount of the corporate funds which may be used for administrative expenses);

60 Stat. 471.

60 Stat. 471.

60 Stat. 472.

60 Stat. 474.

3 CFR, 1946 Supp.,  
p. 115.  
60 Stat. 594.

## DEPARTMENT OF LABOR

The Secretary of Labor is hereby authorized to transfer from appropriations available to the Department of Labor not to exceed the following specified amounts to the appropriations indicated:

## Office of the Secretary:

"Salaries", \$114,000;

"Salaries and expenses, child-labor provisions, Fair Labor Standards Act", \$1,000;

"Salaries and expenses, child-labor provisions, Fair Labor Standards Act, Division of Labor Standards", \$25,000;

"Salaries and expenses, child-labor standards, Division of Labor Standards", \$2,000;

"Salaries and expenses, Office of the Solicitor", \$126,000;

"Salaries and expenses, Division of Labor Standards", \$14,000;

"Commissioners of Conciliation", \$282,000;

## Retraining and Reemployment Administration:

"Salaries", \$25,000;

"Apprentice Training Service", \$218,000;

Bureau of Labor Statistics: "Salaries and expenses", \$637,000;

United States Employment Service: "General administration", \$217,000;

Women's Bureau: "Salaries and expenses", \$29,000;

Wage and Hour Division: "Salaries", \$577,000;

Transfer of funds.

60 Stat. 679.

52 Stat. 1060.  
29 U. S. C. §§ 201-  
219.  
Post, p. 87.

60 Stat. 683.

60 Stat. 680.

60 Stat. 680.

60 Stat. 683.

60 Stat. 686.

60 Stat. 686.

## TREASURY DEPARTMENT

Office of the Secretary: "Salaries", \$55,000;

Division of Tax Research: "Salaries", \$23,800;

Office of Tax Legislative Counsel: "Salaries", \$11,900;

Division of Research and Statistics: "Salaries", \$22,000;

Office of General Counsel: "Salaries", \$20,200;

Division of Personnel: "Salaries", \$28,100;

Office of Chief Clerk: "Salaries", \$53,950;

Custody of Treasury buildings: "Salaries of operating force", \$85,900;

60 Stat. 568.

60 Stat. 569.

60 Stat. 569.

60 Stat. 569.

60 Stat. 569.

60 Stat. 569.

60 Stat. 569.

60 Stat. 569.

60 Stat. 570.



## Fiscal Service:

60 Stat. 570.

## Bureau of Accounts:

"Salaries and expenses", \$120,300;

"Division of Disbursement, salaries and expenses", \$762,900;

60 Stat. 571.

"Salaries, foreign economic functions", \$42,550;

Bureau of the Public Debt: "Administering the public debt", \$1,894,000;

60 Stat. 572.

## Office of the Treasurer of the United States:

"Salaries and expenses", \$603,000;

"Salaries (reimbursable)", \$15,000;

60 Stat. 572.

Bureau of Customs: "Salaries and expenses", \$3,797,000;

60 Stat. 573.

Bureau of Internal Revenue: "Salaries and expenses", \$19,717,400;

60 Stat. 574.

Bureau of Narcotics: "Salaries and expenses", \$140,000;

60 Stat. 575.

Bureau of Engraving and Printing: "Salaries and expenses", \$939,400;

60 Stat. 576.

## Secret Service Division:

"Salaries", \$12,750;

"Suppressing counterfeiting and other crimes", \$192,950;

"White House Police", \$45,500;

"Salaries and expenses, guard force, Treasury buildings", \$47,200;

"Reimbursement to District of Columbia, benefit payments to White House Police and Secret Service forces", \$7,350;

60 Stat. 577.

## Bureau of the Mint:

"Salaries and expenses, Office of the Director", \$18,250;

"Salaries and expenses, mints and assay offices", \$160,300;

60 Stat. 577.

Procurement Division: "Salaries and expenses", \$152,700;

60 Stat. 529.

## Coast Guard:

"Office of Commandant", \$237,600;

"Civilian employees, Coast Guard", \$326,400;

"Salaries, merchant marine inspection, Coast Guard", \$54,000;

"Salaries and expenses, merchant marine inspection, Coast Guard", \$179,000;

## WAR DEPARTMENT

## Civil Functions of the War Department:

## The Panama Canal:

"Sanitation, Canal Zone", \$400,000;

60 Stat. 165.

Waiver of restrictions.

The restrictions contained within appropriations or affecting appropriations or other funds, available during the fiscal year 1947, limiting the amounts which may be expended for personal services or for other purposes involving personal services, or amounts which may be transferred between appropriations or authorizations, are hereby waived with respect to the foregoing items, under the heading "Increased pay costs", to the extent necessary to meet increased pay costs authorized by the Acts of March 6, 1946 (Public Law 317); May 21, 1946 (Public Law 386); May 24, 1946 (Public Law 390); July 5, 1946 (Public Law 491); July 31, 1946 (Public Laws 567, 568, and 577); and August 1, 1946 (Public Law 582), and other legislation enacted during or applicable to the fiscal year 1947 authorizing increased pay for civilian employees of the Government.

60 Stat. 35, 203, 216, 480, 716, 717, 749, 752.  
39 U. S. C. §§ 856a, 862a, 862b, 867a, 877, 878; 5 U. S. C. §§ 645a, 645b, 672b-673, 902 *et seq.*; 28 U. S. C. §§ 5, 213, 241, 296, 301, 324, 597-597c.  
*Ante*, p. 40; *post*, p. 727.

## TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS

## PROPERTY DAMAGE CLAIMS

SEC. 201. (a) For the payment of claims for damages to or losses of privately owned property adjusted and determined by the following respective departments and independent offices, under the provisions of the Act entitled "An Act to provide a method for the settlement

of claims arising against the Government of the United States in the sum not exceeding \$1,000 in any one case", approved December 28, 1922 (31 U. S. C. 215), as fully set forth in Senate Document Numbered 38, and House Document Numbered 124, Eightieth Congress, as follows:

42 Stat. 1066.

Federal Works Agency, \$216.70;

Department of the Interior, \$30,605.53;

Department of State, \$2,783.31;

Treasury Department, \$510.35;

In all, \$34,115.89; together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency as specified in certain of the claims.

Payments in foreign currency.

#### JUDGMENTS, UNITED STATES COURTS

SEC. 202. (a) For the payment of a judgment, rendered against the Government of the United States by a United States district court under the provisions of an Act entitled "An Act authorizing suits against the United States in admiralty, suits for salvage services, and providing for the release of merchant vessels belonging to the United States from arrest and attachment in foreign jurisdictions, and for other purposes", approved March 9, 1920 (46 U. S. C. 741 and the following), and which was certified to the Eightieth Congress in House Document Numbered 126 under the War Department, \$5,850.

41 Stat. 525.

(b) For the payment of final judgments, which have been rendered under the provisions of an Act entitled "An Act authorizing suits against the United States in admiralty for damage caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes", approved March 3, 1925 (46 U. S. C. 787), and which have been certified to the Eightieth Congress in Senate Document Numbered 33, and House Document Numbered 127, under the following agencies:

43 Stat. 1113.

Navy Department, \$44,053.59;

Treasury Department, \$3,373.77;

War Department, \$11,210.88;

In all, \$58,638.24; together with an indefinite appropriation to pay interest as and where specified in the judgments or as provided by law.

(c) For the payment of judgments numbered Civil 23,279, 23,432-G and Civil 668, 291, and 1243 rendered by United States district courts, and certified to the Eightieth Congress in Senate Document Numbered 28, and House Document Numbered 129, under the following agencies:

Executive Office of the President, \$186.75;

Department of Agriculture, \$503.30;

Department of the Interior, \$15,010;

War Department, \$8,830.29;

In all, \$24,530.34; together with an indefinite appropriation to pay interest as and where specified in the judgments or as provided by law.

(d) For the payment of final judgments rendered against the Government of the United States by United States district courts under the provisions of the Act of June 29, 1936, the Merchant Marine Act, as amended (46 U. S. C. 1242), and which were certified to the Eightieth Congress in House Document Numbered 130, under the United States Maritime Commission, War Shipping Administration, \$9,615.60; together with an indefinite appropriation to pay interest as specified in such judgments or as provided by law.

49 Stat. 2015.  
Post, p. 454.

(e) For the payment of final judgments rendered against the Government of the United States by United States district courts under the provisions of the Act of March 3, 1887, as amended by

24 Stat. 506; 36 Stat.  
1168.

section 297 of the Act of March 3, 1911 (28 U. S. C. 761), and which were certified to the Eightieth Congress in Senate Document Numbered 35, and House Document Numbered 132, under the following agencies:

United States Maritime Commission, \$2,250;  
Department of Agriculture, \$219.75;  
Department of the Interior, \$948.77;  
Navy Department, \$3,627.78;  
War Department, \$8,397.59;

In all, \$15,443.89; together with an indefinite appropriation to pay interest as specified in such judgments or as provided by law.

Right of appeal.

(f) None of the judgments contained under this caption shall be paid until the right of appeal shall have expired except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise.

(g) Payment of interest wherever provided for judgments contained in this Act shall not in any case continue for more than thirty days after the date of approval of this Act.

#### JUDGMENTS, UNITED STATES COURT OF CLAIMS

SEC. 203. (a) For payment of judgments rendered by the Court of Claims and reported to the Eightieth Congress in Senate Document Numbered 32, and House Document Numbered 131, under the following agencies, namely:

Federal Communications Commission, \$161.61;  
United States Maritime Commission, \$50,000;  
Federal Security Agency, \$12,915.66;  
Federal Works Agency: "Public Buildings Administration", \$34,029.23;  
Department of Agriculture, \$284.17;  
Department of Commerce, \$1,127.20;  
Department of the Interior, \$166,496.85 (to pay the judgments numbered 44659, 44867, 45093, 45910, and 46026 as set forth in said House Document 131);

Department of Justice, \$1,563,522.87;

Navy Department, \$201,841.58;

Treasury Department, \$8,641.49;

War Department, \$114,263.39;

In all, \$2,153,284.05; together with such amount as may be necessary to pay interest as and when specified in the judgments.

Right of appeal.

(b) None of the judgments contained under this caption shall be paid until the right of appeal has expired, except such as has become final and conclusive against the United States by failure of the parties to appeal or otherwise.

#### AUDITED CLAIMS

SEC. 204. For the payment of claims certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1944 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in Senate Document Numbered 31, and House Document Numbered 120, Eightieth Congress, there is appropriated the sum of \$20,169,985.39, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency and interest as specified in

18 Stat. 110.

23 Stat. 254.

Payments in foreign  
currency.

certain of the settlements of the General Accounting Office, to be disbursed and accounted for as a single fund; \$679.82, payable from District of Columbia revenues and \$44,897.16, payable from postal revenues; in all, \$20,215,562.37.

SEC. 205. For the payment of claims allowed by the General Accounting Office pursuant to the Act entitled "An Act granting travel pay and other allowances to certain soldiers of the War with Spain and the Philippine Insurrection who were discharged in the Philippine Islands", approved December 5, 1945 (Public Act Numbered 247, Seventy-ninth Congress), and which have been certified to the Eightieth Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), under the War Department in Senate Document Numbered 40, and House Document Numbered 125, \$149,938.34.

SEC. 206. For the payment of claims allowed by the General Accounting Office pursuant to the Act entitled "An Act for the relief of officers and soldiers of the volunteer service of the United States mustered into service for the War with Spain, and who were held in service in the Philippine Islands after the ratification of the treaty of peace, April 11, 1899", approved May 2, 1940 (Public Law Numbered 505, Seventy-sixth Congress), and which have been certified to the Eightieth Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), under the War Department in House Document Numbered 125, \$651.92.

59 Stat. 596.  
10 U. S. C. §§ 866f-866j.

23 Stat. 254.

54 Stat. 176.  
10 U. S. C. §§ 866a-866e.  
23 Stat. 254.

### TITLE III—REDUCTIONS IN APPROPRIATIONS

Amounts made available to the Navy Department from appropriations and other funds are hereby reduced in the sums hereinafter set forth, such sums to be carried to the surplus fund and covered into the Treasury immediately upon the approval of this Act:

#### NAVY DEPARTMENT

##### Bureau of Naval Personnel:

"Naval Reserve Officers' Training Corps, 1947", \$210,000.

##### Bureau of Supplies and Accounts:

"Transportation and recruiting of naval personnel, 1947", \$1,925,675;

"Transportation of things, 1947", \$4,258,300;

"Naval procurement fund", \$4,529,350;

"Pay, subsistence and transportation, 1945", \$55,000,000;

"Pay and subsistence of naval personnel, 1946", \$130,000,000;

"Maintenance, Bureau of Supplies and Accounts, 1945", \$4,000,000;

"Maintenance, Bureau of Supplies and Accounts, 1946", \$12,000,000;

"Transportation of things, Navy, 1945", \$9,000,000;

"Transportation of things, Navy, 1946", \$40,000,000;

"Fuel and transportation, Navy, 1945", \$10,000,000.

##### Bureau of Medicine and Surgery:

"Medical Department, Navy, 1945", \$5,500,000;

"Medical Department, Navy, 1946", \$7,000,000.

##### Bureau of Ships:

"Maintenance, Bureau of Ships, 1945", \$100,000,000.

##### Bureau of Aeronautics:

"Aviation, Navy, 1945", \$460,000,000;

"Aviation, Navy, 1946", \$6,000,000.

##### Bureau of Ordnance:

"Ordnance and ordnance stores, Navy, 1945", \$50,000,000.

*Ante*, p. 22.

58 Stat. 306.

59 Stat. 207.

*Post*, p. 396.

58 Stat. 309.

59 Stat. 209.

*Post*, p. 396.

58 Stat. 310.

59 Stat. 210.

*Post*, p. 396.

58 Stat. 310.

58 Stat. 310.

59 Stat. 210.

*Post*, p. 396.

58 Stat. 305.

58 Stat. 312.

59 Stat. 212.

*Post*, p. 396.

58 Stat. 306.

## Marine Corps:

58 Stat. 312.  
59 Stat. 213.  
58 Stat. 313.  
59 Stat. 214.  
*Post*, p. 396.

"Pay, Marine Corps, 1945", \$7,000,000;  
"Pay, Marine Corps, 1946", \$36,000,000;  
"General expenses, Marine Corps, 1945", \$14,000,000;  
"General expenses, Marine Corps, 1946", \$55,000,000.

## TITLE IV—GENERAL PROVISIONS

Persons engaging,  
etc., in strikes against  
or advocating over-  
throw of U. S. Gov-  
ernment.

Affidavit.

Penalty.

Short title.

SEC. 401. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

SEC. 402. This Act may be cited as the "First Deficiency Appropriation Act, 1947".

Approved May 1, 1947.

## [CHAPTER 50]

## AN ACT

To amend the Act of January 5, 1905, to incorporate the American National Red Cross.

American National  
Red Cross.

33 Stat. 599.  
36 U. S. C. § 1 *et seq.*

47 Stat. 2074.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act to incorporate the American National Red Cross, approved January 5, 1905, is hereby amended by inserting the following paragraph immediately following the second paragraph of the said Act:

"Whereas the said treaty has been revised and extended by a treaty or convention for the amelioration of the condition of the wounded and the sick of armies in the field, signed at Geneva, July 27, 1929, and adhered to by the United States of America, effective August 8, 1932; and"

SEC. 2. The fourth paragraph of the Act to incorporate the American National Red Cross is hereby amended to read as follows:

"Whereas a permanent organization is an agency needed in every nation to carry out the purposes of said treaties, and especially to secure supplies and to execute the humane objects contemplated by said treaties, with the power to adopt and use the distinctive flag

and arm badge specified by said treaties, on which shall be the sign of the Red Cross, for the purpose of cooperating with the 'Comité International de Secours aux Militaires Blessés' (International Committee of Relief for the Wounded in War); and".

SEC. 3. Section 2 of the Act to incorporate the American National Red Cross, approved January 5, 1905, is hereby amended to read as follows:

33 Stat. 600.  
36 U. S. C. § 2.

Name.

Powers.

"SEC. 2. That the name of this corporation shall be 'The American National Red Cross', and by that name it shall have perpetual succession, with the power to sue and be sued in courts of law and equity, State or Federal, within the jurisdiction of the United States; to have and to hold such real and personal estate as shall be deemed advisable and to dispose of the same, to accept gifts, devises, and bequests of real and personal estate for the purposes of this corporation hereinafter set forth; to adopt a seal and the same to alter and destroy at pleasure; and to have the right to have and to use, in carrying out its purposes hereinafter designated, as an emblem and badge, a Greek red cross on a white ground, as the same has been described in the treaties of Geneva, August twenty-second, eighteen hundred and sixty-four and July twenty-seventh, nineteen hundred and twenty-nine, and adopted by the several nations acceding thereto; to ordain and establish bylaws and regulations not inconsistent with the laws of the United States of America or any State thereof, and generally to do all such acts and things as may be necessary to carry into effect the provisions of this act and promote the purposes of said organization; and the corporation hereby created is designated as the organization which is authorized to act in matters of relief under said treaties. In accordance with the said treaties, the delivery of the brassard allowed for individuals neutralized in time of war shall be left to military authority."

22 Stat. 940; 47 Stat. 2074.

SEC. 4. Paragraphs "First" and "Second" of section 3 of the Act to incorporate the American National Red Cross, approved January 5, 1905, is hereby amended to read as follows:

33 Stat. 600.  
36 U. S. C. § 2.

"First. To furnish volunteer aid to the sick and wounded of armies in time of war, in accordance with the spirit and conditions of the conference of Geneva of October, eighteen hundred and sixty-three, and also of the treaties of the Red Cross, or the treaties of Geneva, of August twenty-second, eighteen hundred and sixty-four, and July twenty-seventh, nineteen hundred and twenty-nine, to which the United States of America has given its adhesion, and also of any other treaty or convention similar in purpose to which the United States of America may hereafter give its adhesion.

22 Stat. 940; 47 Stat. 2074.

"Second. And for said purposes to perform all the duties devolved upon a national society by each nation which has acceded to any of said treaties or conventions."

SEC. 5. The Act to incorporate the American National Red Cross, approved January 5, 1905, is hereby amended by adding thereto a new section 4a to read as follows:

33 Stat. 599.  
36 U. S. C. § 1 *et seq.*

"SEC. 4a. That membership in the American National Red Cross shall be open to all the people of the United States, its Territories, and dependencies, upon payment of the sums specified from time to time in the bylaws.

Membership.

"The chapters of the American National Red Cross shall be the local units of the corporation within the States and Territories of the United States. The regulations with respect to the granting of charters to the chapters and the revocation of the same, the territorial jurisdiction of the chapters, the relationship of the chapters to the corporation and compliance by the chapters with the policies and rules of the corporation, shall be as determined from time to time by the

Chapters.

Board of Governors. Such regulations shall require that each chapter shall, in the election of the governing body of the chapter and in the selection of delegates to the national convention of the corporation, adhere to democratic principles of election as specified in the bylaws."

SEC. 6. Section 5 of the Act to incorporate the American National Red Cross, approved January 5, 1905, is hereby amended to read as follows:

33 Stat. 601.  
36 U. S. C. § 5.

Board of Governors.

"SEC. 5. That the governing body of the corporation in which all powers of government, direction, and management of the corporation shall be lodged, shall consist of a Board of Governors numbering fifty persons, to be appointed or elected in the manner following, namely:

Appointment of  
Governors.  
Principal officer.

"(a) Eight Governors shall be appointed by the President of the United States. Of the Governors so appointed, one shall be designated by the President of the United States to act as the principal officer of the corporation with such title and such functions as may from time to time be prescribed in the bylaws; and the remainder shall be officials of departments and agencies of the Federal Government, whose positions and interests are such as to qualify them to contribute toward the accomplishment of Red Cross programs and objectives. Of these at least one and not more than three shall be selected from the armed forces.

Governors elected  
by chapters.

"(b) Thirty Governors shall be elected by the chapters. The Governors so elected shall be elected at the national convention under procedures for nomination and election which shall be such as to insure equitable representation of all the chapters, having regard to geographical considerations, to the size of the chapters and to the size of the populations served by the chapters.

Governors elected  
by Board.

"(c) Twelve Governors shall be elected by the Board of Governors as members-at-large. The Governors so elected shall be individuals who are representative of the national interests which it is the function of the Red Cross to serve, and with which it is desirable that the corporation shall have close association.

Term of office.

"The term of office of all Governors shall be three years, except that the term of office of any Governor appointed by the President of the United States (other than the principal officer of the corporation) shall expire if and when such Governor shall retire, prior to the date on which his term as Governor would otherwise expire, from the official position held at the time of his appointment as Governor.

First Board.

"Of the first Board of Governors to be selected hereunder, those Governors to be elected pursuant to subsection (b) of this section 5 shall be elected at the first national convention following the enactment of this Act, those Governors to be elected pursuant to subsection (c) shall be elected as soon as practicable following such first national convention, and those Governors to be appointed pursuant to subsection (a) shall be appointed so as to take office at the same time. The Governors so elected pursuant to subsections (b) and (c) shall be divided by lot into three classes, the terms of which shall expire at the end of one, two, and three years, respectively, so that thereafter one-third of the members of the Board of Governors elected pursuant to subsections (b) and (c) will be chosen at the time of each national convention, and shall take office at such time or as soon as practicable thereafter.

Filling of vacancies.

"The President of the United States shall fill as soon as may be any vacancy that may occur by death, resignation, or otherwise in the office of the principal officer of the corporation or in the membership of the Board of Governors appointed by him. Any vacancy that may occur in the Governors elected by the chapters pursuant to subsection (b) or in the Governors-at-large elected by the Board of Governors pursuant to subsection (c), shall be temporarily filled by appointment

made by the Board of Governors, such appointees to serve until the next national convention.

"The Board of Governors shall have power (i) to appoint from its own members an executive committee of not less than eleven persons, who, when the Board of Governors is not in session, shall have and exercise all the powers of the Board of Governors, and (ii) to appoint and remove, or provide for the appointment and removal of, all officers and employees of the corporation, except the principal officer designated by the President of the United States.

"The annual meeting of the corporation shall be the national convention of delegates of the chapters, which shall be held annually on such date and at such place as may be specified by the Board of Governors. In all matters requiring a vote at the national convention, each chapter shall be entitled to not less than one vote. The number of votes which each chapter shall be entitled to cast shall be determined according to allocation by the Board of Governors, which shall be established on an equitable basis giving consideration both to the size of the membership of the chapters and to the size of the populations in the territories served by the chapters. Such allocations shall be reviewed at least every five years.

"Voting by proxy shall not be allowed at any meeting of the Board of Governors, or at the national convention, or at any meeting of the chapters: *Provided, however,* That in the event of any national emergency which in the opinion of the Board of Governors makes attendance at the national convention impossible, the Board of Governors may permit the election of Governors by proxy at the national convention."

SEC. 7. Section 8 of the Act to incorporate the American National Red Cross, approved January 5, 1905, as amended, is hereby amended to read as follows:

"SEC. 8. That the endowment fund of the American National Red Cross shall be kept and invested under the management and control of a board of nine trustees, who shall be elected from time to time by the Board of Governors under such regulations regarding terms and tenure of office, accountability, and expense as the Board of Governors shall prescribe."

SEC. 8. The corporation now existing as The American National Red Cross under the Act of January 5, 1905, as amended, shall continue as a body corporate and politic in the District of Columbia. The first national convention after the enactment of this amendatory Act shall be convened and held under rules and regulations prescribed by the governing body of the corporation as presently constituted. After such first national convention, the Board of Governors of the corporation from time to time shall constitute the associates and successors of the incorporators named in the said Act of January 5, 1905, and neither the said incorporators nor any associates or successors theretofore designated by them or by their successors shall have any powers or duties.

Approved May 8, 1947.

## [CHAPTER 51]

### JOINT RESOLUTION

To permit United States common communications carriers to accord free communication privileges to official participants in the world telecommunications conferences to be held in the United States in 1947.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That nothing in the Communications Act of 1934, as amended, or in any other provision of law

Executive committee.

Officers and employees.

National convention.

Voting.

Election of Governors by proxy.

36 Stat. 604.  
36 U. S. C. § 9.

Endowment fund; trustees.

Continuation of existing corporation.  
33 Stat. 599.  
36 U. S. C. § 1 *et seq.*

May 13, 1947  
[S. J. Res. 102]

[Public Law 48]

48 Stat. 1064.  
47 U. S. C. § 609.  
*Post*, pp. 450, 451,  
454.



shall be construed to prohibit United States communication common carriers from rendering free communication services to official participants in the world telecommunications conferences to be held in the United States in 1947, subject to such rules and regulations as the Federal Communications Commission may prescribe.

Approved May 13, 1947.

[CHAPTER 52]

AN ACT

May 14, 1947  
[H. R. 2157]  
[Public Law 49]

To relieve employers from certain liabilities and punishments under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, and the Bacon-Davis Act, and for other purposes.

Portal-to-Portal Act  
of 1947.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

PART I

FINDINGS AND POLICY

52 Stat. 1060.  
29 U. S. C. §§ 201-  
219.  
Post, p. 87.

SECTION 1. (a) The Congress hereby finds that the Fair Labor Standards Act of 1938, as amended, has been interpreted judicially in disregard of long-established customs, practices, and contracts between employers and employees, thereby creating wholly unexpected liabilities, immense in amount and retroactive in operation, upon employers with the results that, if said Act as so interpreted or claims arising under such interpretations were permitted to stand, (1) the payment of such liabilities would bring about financial ruin of many employers and seriously impair the capital resources of many others, thereby resulting in the reduction of industrial operations, halting of expansion and development, curtailing employment, and the earning power of employees; (2) the credit of many employers would be seriously impaired; (3) there would be created both an extended and continuous uncertainty on the part of industry, both employer and employee, as to the financial condition of productive establishments and a gross inequality of competitive conditions between employers and between industries; (4) employees would receive windfall payments, including liquidated damages, of sums for activities performed by them without any expectation of reward beyond that included in their agreed rates of pay; (5) there would occur the promotion of increasing demands for payment to employees for engaging in activities no compensation for which had been contemplated by either the employer or employee at the time they were engaged in; (6) voluntary collective bargaining would be interfered with and industrial disputes between employees and employers and between employees and employees would be created; (7) the courts of the country would be burdened with excessive and needless litigation and champertous practices would be encouraged; (8) the Public Treasury would be deprived of large sums of revenues and public finances would be seriously deranged by claims against the Public Treasury for refunds of taxes already paid; (9) the cost to the Government of goods and services heretofore and hereafter purchased by its various departments and agencies would be unreasonably increased and the Public Treasury would be seriously affected by consequent increased cost of war contracts; and (10) serious and adverse effects upon the revenues of Federal, State, and local governments would occur.

The Congress further finds that all of the foregoing constitutes a substantial burden on commerce and a substantial obstruction to the free flow of goods in commerce.

The Congress, therefore, further finds and declares that it is in the national public interest and for the general welfare, essential to national defense, and necessary to aid, protect, and foster commerce, that this Act be enacted.

The Congress further finds that the varying and extended periods of time for which, under the laws of the several States, potential retroactive liability may be imposed upon employers, have given and will give rise to great difficulties in the sound and orderly conduct of business and industry.

The Congress further finds and declares that all of the results which have arisen or may arise under the Fair Labor Standards Act of 1938, as amended, as aforesaid, may (except as to liability for liquidated damages) arise with respect to the Walsh-Healey and Bacon-Davis Acts and that it is, therefore, in the national public interest and for the general welfare, essential to national defense, and necessary to aid, protect, and foster commerce, that this Act shall apply to the Walsh-Healey Act and the Bacon-Davis Act.

(b) It is hereby declared to be the policy of the Congress in order to meet the existing emergency and to correct existing evils (1) to relieve and protect interstate commerce from practices which burden and obstruct it; (2) to protect the right of collective bargaining; and (3) to define and limit the jurisdiction of the courts.

## PART II

### EXISTING CLAIMS

SEC. 2. RELIEF FROM CERTAIN EXISTING CLAIMS UNDER THE FAIR LABOR STANDARDS ACT OF 1938, AS AMENDED, THE WALSH-HEALEY ACT, AND THE BACON-DAVIS ACT.—

(a) No employer shall be subject to any liability or punishment under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act (in any action or proceeding commenced prior to or on or after the date of the enactment of this Act), on account of the failure of such employer to pay an employee minimum wages, or to pay an employee overtime compensation, for or on account of any activity of an employee engaged in prior to the date of the enactment of this Act, except an activity which was compensable by either—

(1) an express provision of a written or nonwritten contract in effect, at the time of such activity, between such employee, his agent, or collective-bargaining representative and his employer; or

(2) a custom or practice in effect, at the time of such activity, at the establishment or other place where such employee was employed, covering such activity, not inconsistent with a written or nonwritten contract, in effect at the time of such activity, between such employee, his agent, or collective-bargaining representative and his employer.

(b) For the purposes of subsection (a), an activity shall be considered as compensable under such contract provision or such custom or practice only when it was engaged in during the portion of the day with respect to which it was so made compensable.

(c) In the application of the minimum wage and overtime compensation provisions of the Fair Labor Standards Act of 1938, as amended, of the Walsh-Healey Act, or of the Bacon-Davis Act, in determining the time for which an employer employed an employee there shall be counted all that time, but only that time, during which the employee engaged in activities which were compensable within the meaning of subsections (a) and (b) of this section.

52 Stat. 1060.  
29 U. S. C. §§ 201-219.  
*Post*, p. 87.  
49 Stat. 2036, 1011.  
41 U. S. C. §§ 35-45;  
40 U. S. C. §§ 276a-276a-5.  
*Post*, p. 454.

Policy of Congress.

*Infra.*

52 Stat. 1060; 49 Stat. 2036, 1011.  
29 U. S. C. §§ 201-219; 41 U. S. C. §§ 35-45; 40 U. S. C. §§ 276a-276a-5.  
*Post*, pp. 87, 454.

Compensable activity.

Determination of compensable time.

52 Stat. 1060; 49 Stat. 2036, 1011.  
29 U. S. C. §§ 201-219; 41 U. S. C. §§ 35-45; 40 U. S. C. §§ 276a-276a-5.  
*Post*, pp. 87, 454.

Court jurisdiction.

52 Stat. 1060; 49 Stat. 2036, 1011.

29 U. S. C. §§ 201-219; 41 U. S. C. §§ 35-45; 40 U. S. C. §§ 276a-276a-5.

*Post*, pp. 87, 454.  
Assignability of designated causes of action.

*Supra*.

*Supra*.

*Supra*.

Exception.

Waiver by employee.

52 Stat. 1060.  
29 U. S. C. §§ 201-219.

*Post*, p. 87.

"Compromise."

*Infra*.

52 Stat. 1060; 49 Stat. 2036, 1011.

29 U. S. C. §§ 201-219; 41 U. S. C. §§ 35-45; 40 U. S. C. §§ 276a-276a-5.

*Post*, pp. 87, 454.

(d) No court of the United States, of any State, Territory, or possession of the United States, or of the District of Columbia, shall have jurisdiction of any action or proceeding, whether instituted prior to or on or after the date of the enactment of this Act, to enforce liability or impose punishment for or on account of the failure of the employer to pay minimum wages or overtime compensation under the Fair Labor Standards Act of 1938, as amended, under the Walsh-Healey Act, or under the Bacon-Davis Act, to the extent that such action or proceeding seeks to enforce any liability or impose any punishment with respect to an activity which was not compensable under subsections (a) and (b) of this section.

(e) No cause of action based on unpaid minimum wages, unpaid overtime compensation, or liquidated damages, under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act, which accrued prior to the date of the enactment of this Act, or any interest in such cause of action, shall hereafter be assignable, in whole or in part, to the extent that such cause of action is based on an activity which was not compensable within the meaning of subsections (a) and (b).

SEC. 3. COMPROMISE OF CERTAIN EXISTING CLAIMS UNDER THE FAIR LABOR STANDARDS ACT OF 1938, AS AMENDED, THE WALSH-HEALEY ACT, AND THE BACON-DAVIS ACT.—

(a) Any cause of action under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act, which accrued prior to the date of the enactment of this Act, or any action (whether instituted prior to or on or after the date of the enactment of this Act) to enforce such a cause of action, may hereafter be compromised in whole or in part, if there exists a bona fide dispute as to the amount payable by the employer to his employee; except that no such action or cause of action may be so compromised to the extent that such compromise is based on an hourly wage rate less than the minimum required under such Act, or on a payment for overtime at a rate less than one and one-half times such minimum hourly wage rate.

(b) Any employee may hereafter waive his right under the Fair Labor Standards Act of 1938, as amended, to liquidated damages, in whole or in part, with respect to activities engaged in prior to the date of the enactment of this Act.

(c) Any such compromise or waiver, in the absence of fraud or duress, shall, according to the terms thereof, be a complete satisfaction of such cause of action and a complete bar to any action based on such cause of action.

(d) The provisions of this section shall also be applicable to any compromise or waiver heretofore so made or given.

(e) As used in this section, the term "compromise" includes "adjustment", "settlement", and "release".

### PART III

#### FUTURE CLAIMS

SEC. 4. RELIEF FROM CERTAIN FUTURE CLAIMS UNDER THE FAIR LABOR STANDARDS ACT OF 1938, AS AMENDED, THE WALSH-HEALEY ACT, AND THE BACON-DAVIS ACT.—

(a) Except as provided in subsection (b), no employer shall be subject to any liability or punishment under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act, on account of the failure of such employer to pay an employee minimum wages, or to pay an employee overtime compensation, for or on account of any of the following activities of such employee engaged in on or after the date of the enactment of this Act—

(1) walking, riding, or traveling to and from the actual place of performance of the principal activity or activities which such employee is employed to perform, and

(2) activities which are preliminary to or postliminary to said principal activity or activities, which occur either prior to the time on any particular workday at which such employee commences, or subsequent to the time on any particular workday at which he ceases, such principal activity or activities.

(b) Notwithstanding the provisions of subsection (a) which relieve an employer from liability and punishment with respect to an activity, the employer shall not be so relieved if such activity is compensable by either—

Restriction.

(1) an express provision of a written or nonwritten contract in effect, at the time of such activity, between such employee, his agent, or collective-bargaining representative and his employer; or

(2) a custom or practice in effect, at the time of such activity, at the establishment or other place where such employee is employed, covering such activity, not inconsistent with a written or nonwritten contract, in effect at the time of such activity, between such employee, his agent, or collective-bargaining representative and his employer.

(c) For the purposes of subsection (b), an activity shall be considered as compensable under such contract provision or such custom or practice only when it is engaged in during the portion of the day with respect to which it is so made compensable.

Compensable activity.

(d) In the application of the minimum wage and overtime compensation provisions of the Fair Labor Standards Act of 1938, as amended, of the Walsh-Healey Act, or of the Bacon-Davis Act, in determining the time for which an employer employs an employee with respect to walking, riding, traveling, or other preliminary or postliminary activities described in subsection (a) of this section, there shall be counted all that time, but only that time, during which the employee engages in any such activity which is compensable within the meaning of subsections (b) and (c) of this section.

52 Stat. 1060; 49 Stat. 2036, 1011.  
29 U. S. C. §§ 201-219; 41 U. S. C. §§ 35-45; 40 U. S. C. §§ 276a-276a-5.  
*Infra*; *post*, p. 454.

## PART IV

### MISCELLANEOUS

#### SEC. 5. REPRESENTATIVE ACTIONS BANNED.—

(a) The second sentence of section 16 (b) of the Fair Labor Standards Act of 1938, as amended, is amended to read as follows: "Action to recover such liability may be maintained in any court of competent jurisdiction by any one or more employees for and in behalf of himself or themselves and other employees similarly situated. No employee shall be a party plaintiff to any such action unless he gives his consent in writing to become such a party and such consent is filed in the court in which such action is brought."

52 Stat. 1069.  
29 U. S. C. § 216 (b).

(b) The amendment made by subsection (a) of this section shall be applicable only with respect to actions commenced under the Fair Labor Standards Act of 1938, as amended, on or after the date of the enactment of this Act.

52 Stat. 1060.  
29 U. S. C. §§ 201-219.

SEC. 6. STATUTE OF LIMITATIONS.—Any action commenced on or after the date of the enactment of this Act to enforce any cause of action for unpaid minimum wages, unpaid overtime compensation, or

52 Stat. 1060; 49 Stat. 2036, 1011.  
 29 U. S. C. §§ 201-219; 41 U. S. C. §§ 35-45; 40 U. S. C. §§ 276a-276a-5.  
*Ante*, p. 87; *post*, p. 454.

liquidated damages, under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act—

(a) if the cause of action accrues on or after the date of the enactment of this Act—may be commenced within two years after the cause of action accrued, and every such action shall be forever barred unless commenced within two years after the cause of action accrued;

(b) if the cause of action accrued prior to the date of the enactment of this Act—may be commenced within whichever of the following periods is the shorter: (1) two years after the cause of action accrued, or (2) the period prescribed by the applicable State statute of limitations; and, except as provided in paragraph (c), every such action shall be forever barred unless commenced within the shorter of such two periods;

(c) if the cause of action accrued prior to the date of the enactment of this Act, the action shall not be barred by paragraph (b) if it is commenced within one hundred and twenty days after the date of the enactment of this Act unless at the time commenced it is barred by an applicable State statute of limitations.

#### SEC. 7. DETERMINATION OF COMMENCEMENT OF FUTURE ACTIONS.—

In determining when an action is commenced for the purposes of section 6, an action commenced on or after the date of the enactment of this Act under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act, shall be considered to be commenced on the date when the complaint is filed; except that in the case of a collective or class action instituted under the Fair Labor Standards Act of 1938, as amended, or the Bacon-Davis Act, it shall be considered to be commenced in the case of any individual claimant—

(a) on the date when the complaint is filed, if he is specifically named as a party plaintiff in the complaint and his written consent to become a party plaintiff is filed on such date in the court in which the action is brought; or

(b) if such written consent was not so filed or if his name did not so appear—on the subsequent date on which such written consent is filed in the court in which the action was commenced.

SEC. 8. PENDING COLLECTIVE AND REPRESENTATIVE ACTIONS.—The statute of limitations prescribed in section 6 (b) shall also be applicable (in the case of a collective or representative action commenced prior to the date of the enactment of this Act under the Fair Labor Standards Act of 1938, as amended) to an individual claimant who has not been specifically named as a party plaintiff to the action prior to the expiration of one hundred and twenty days after the date of the enactment of this Act. In the application of such statute of limitations such action shall be considered to have been commenced as to him when, and only when, his written consent to become a party plaintiff to the action is filed in the court in which the action was brought.

SEC. 9. RELIANCE ON PAST ADMINISTRATIVE RULINGS, ETC.—In any action or proceeding commenced prior to or on or after the date of the enactment of this Act based on any act or omission prior to the date of the enactment of this Act, no employer shall be subject to any liability or punishment for or on account of the failure of the employer to pay minimum wages or overtime compensation under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act, if he pleads and proves that the act or omission complained of was in good faith in conformity with and in reliance on any administrative regulation, order, ruling, approval, or interpretation, of any agency of the United States, or any administrative practice or enforcement policy of any such agency with respect to the

52 Stat. 1060.  
 29 U. S. C. §§ 201-219; 40 U. S. C. §§ 276a-276a-5.  
*Ante*, p. 87.

52 Stat. 1060; 49 Stat. 2036, 1011.  
 29 U. S. C. §§ 201-219; 41 U. S. C. §§ 35-45; 40 U. S. C. §§ 276a-276a-5.  
*Ante*, p. 87; *post*, p. 454.

*Supra*.

class of employers to which he belonged. Such a defense, if established, shall be a bar to the action or proceeding, notwithstanding that after such act or omission, such administrative regulation, order, ruling, approval, interpretation, practice, or enforcement policy is modified or rescinded or is determined by judicial authority to be invalid or of no legal effect.

**SEC. 10. RELIANCE IN FUTURE ON ADMINISTRATIVE RULINGS, ETC.—**

(a) In any action or proceeding based on any act or omission on or after the date of the enactment of this Act, no employer shall be subject to any liability or punishment for or on account of the failure of the employer to pay minimum wages or overtime compensation under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, or the Bacon-Davis Act, if he pleads and proves that the act or omission complained of was in good faith in conformity with and in reliance on any written administrative regulation, order, ruling, approval, or interpretation, of the agency of the United States specified in subsection (b) of this section, or any administrative practice or enforcement policy of such agency with respect to the class of employers to which he belonged. Such a defense, if established, shall be a bar to the action or proceeding, notwithstanding that after such act or omission, such administrative regulation, order, ruling, approval, interpretation, practice, or enforcement policy is modified or rescinded or is determined by judicial authority to be invalid or of no legal effect.

(b) The agency referred to in subsection (a) shall be—

(1) in the case of the Fair Labor Standards Act of 1938, as amended—the Administrator of the Wage and Hour Division of the Department of Labor;

(2) in the case of the Walsh-Healey Act—the Secretary of Labor, or any Federal officer utilized by him in the administration of such Act; and

(3) in the case of the Bacon-Davis Act—the Secretary of Labor.

**SEC. 11. LIQUIDATED DAMAGES.**—In any action commenced prior to or on or after the date of the enactment of this Act to recover unpaid minimum wages, unpaid overtime compensation, or liquidated damages, under the Fair Labor Standards Act of 1938, as amended, if the employer shows to the satisfaction of the court that the act or omission giving rise to such action was in good faith and that he had reasonable grounds for believing that his act or omission was not a violation of the Fair Labor Standards Act of 1938, as amended, the court may, in its sound discretion, award no liquidated damages or award any amount thereof not to exceed the amount specified in section 16 (b) of such Act.

**SEC. 12. APPLICABILITY OF "AREA OF PRODUCTION" REGULATIONS.**—No employer shall be subject to any liability or punishment under the Fair Labor Standards Act of 1938, as amended, on account of the failure of such employer to pay an employee minimum wages, or to pay an employee overtime compensation, for or on account of an activity engaged in by such employee prior to December 26, 1946, if such employer—

(1) was not so subject by reason of the definition of an "area of production", by a regulation of the Administrator of the Wage and Hour Division of the Department of Labor, which regulation was applicable at the time of performance of the activity even though at that time the regulation was invalid; or

(2) would not have been so subject if the regulation signed on December 18, 1946 (Federal Register, Vol. 11, p. 14648) had been in force on and after October 24, 1938.

*Infra.*

52 Stat. 1060,  
29 U. S. C. §§ 201-  
219.  
*Ante*, p. 87.

49 Stat. 2036,  
41 U. S. C. §§ 35-45.

49 Stat. 1011,  
40 U. S. C. §§ 276a-  
276a-5,  
*Post*, p. 454.

52 Stat. 1060,  
29 U. S. C. §§ 201-  
219.  
*Ante*, p. 87.

52 Stat. 1069,  
29 U. S. C. § 216 (b).  
*Ante*, p. 87.

*Supra.*

## SEC. 13. DEFINITIONS.—

52 Stat. 1060.  
29 U. S. C. §§ 201-  
219.  
*Ante*, p. 87.

(a) When the terms "employer", "employee", and "wage" are used in this Act in relation to the Fair Labor Standards Act of 1938, as amended, they shall have the same meaning as when used in such Act of 1938.

49 Stat. 2036, 1011.  
41 U. S. C. §§ 35-45;  
40 U. S. C. §§ 276a-  
276a-5.  
*Post*, p. 454.  
*Supra*.

(b) When the term "employer" is used in this Act in relation to the Walsh-Healey Act or Bacon-Davis Act it shall mean the contractor or subcontractor covered by such Act.

(c) When the term "employee" is used in this Act in relation to the Walsh-Healey Act or the Bacon-Davis Act it shall mean any individual employed by the contractor or subcontractor covered by such Act in the performance of his contract or subcontract.

41 U. S. C. §§ 35-45.

(d) The term "Wash-Healey Act" means the Act entitled "An Act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes", approved June 30, 1936 (49 Stat. 2036), as amended; and the term "Bacon-Davis Act" means the Act entitled "An Act to amend the Act approved March 3, 1931, relating to the rate of wages for laborers and mechanics employed by contractors and subcontractors on public buildings", approved August 30, 1935 (49 Stat. 1011), as amended.

40 U. S. C. §§ 276a-  
276a-5.  
*Post*, p. 454.

(e) As used in section 6 the term "State" means any State of the United States or the District of Columbia or any Territory or possession of the United States.

SEC. 14. SEPARABILITY.—If any provision of this Act or the application of such provision to any person or circumstance is held invalid, the remainder of this Act and the application of such provision to other persons or circumstances shall not be affected thereby.

Short title.

SEC. 15. SHORT TITLE.—This Act may be cited as the "Portal-to-Portal Act of 1947".

Approved May 14, 1947.

## [CHAPTER 53]

## JOINT RESOLUTION

May 15, 1947  
[H. J. Res. 90]  
[Public Law 50]

To correct an error in the Act approved August 10, 1946 (Public Law 720, Seventy-ninth Congress, second session), relating to the composition of the Naval Reserve.

60 Stat. 993.  
34 U. S. C. § 853b.  
*Ante*, p. 51.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 1 of the Act approved August 10, 1946 (Public Law 720, Seventy-ninth Congress, second session), is hereby amended by striking out the phrase "including citizens of the Philippine Islands who are members of the naval service at the time independence of the Philippine Islands becomes effective," and inserting in lieu thereof the following: "including citizens of the Philippine Islands who were in the naval service on July 4, 1946, or, who having been discharged from the naval service on or prior to that date, reenlisted therein subsequent thereto but before the expiration of three months following discharge,".

Approved May 15, 1947.

## [CHAPTER 54]

## AN ACT

May 15, 1947  
[H. R. 173]  
[Public Law 51]

To authorize the sale of certain public land in Alaska to Victory Bible Camp Ground, Incorporated.

Victory Bible Camp  
Ground, Inc.  
Purchase of land in  
Alaska.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Victory Bible Camp Ground, Incorporated, is hereby authorized for a period of one year from and after the effective date of this Act to file with

the Secretary of the Interior an application to purchase, and the Secretary of the Interior is hereby authorized and directed to issue patent to it, for use as a recreational camp for young people, what will be when surveyed by the extension of the rectangular surveys, the fractional southwest quarter of the southwest quarter section 23, township 20 north, range 8 east, Seward meridian, Alaska, containing approximately thirty-five acres.

SEC. 2. The patent shall not be issued until after payment has been made by the Victory Bible Camp Ground, Incorporated, to the Secretary of the Interior for the land at its reasonable appraised price of not less than \$1.25 per acre, to be fixed by the Secretary, and shall not include any land covered by a valid existing right initiated under the public-land laws or found by the Secretary of the Interior to be needed for public purposes. The patent shall reserve to the United States the coal and other mineral deposits in the land together with the right to prospect for, mine, and remove the same under regulations to be prescribed by the Secretary of the Interior.

Approved May 15, 1947.

[CHAPTER 55]

AN ACT

Providing for the appointment of a United States commissioner for the Big Bend National Park in the State of Texas, and for other purposes.

Issuance of patent.

Rights reserved.

May 15, 1947  
[H. R. 490]  
[Public Law 52]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That upon the establishment of the Big Bend National Park in the State of Texas pursuant to the provisions of the Act of June 20, 1935 (49 Stat. 393), entitled "An Act to provide for the establishment of the Big Bend National Park in the State of Texas, and for other purposes," the United States District Court for the Western District of Texas shall appoint a commissioner for the said national park. The district court shall prescribe the rules of procedure and practice for the commissioner in the trial of cases and for appeal to the district court. The commissioner shall be paid an annual salary, as appropriated for by the Congress.

Big Bend National  
Park, Texas.  
Appointment of  
Commissioner.  
16 U. S. C. §§ 156-  
158.

Salary.

SEC. 2. The commissioner shall have jurisdiction to issue process in the name of the United States for the arrest of any person charged with a violation of any of the rules and regulations made by the Secretary of the Interior in pursuance of law for the government and protection of the park, or with the commission within the park of a petty offense against the law, and to try the person so charged, who, if found guilty, shall be subject to the punishment prescribed by section 3 of the Act of August 25, 1916 (39 Stat. 535; U. S. C., title 16, sec. 3), as amended. For the purposes of this Act, the term "petty offense" shall be defined as in section 335 of the Criminal Code (U. S. C., title 18, sec. 541). In all cases of conviction an appeal shall lie from the judgment of said commissioner to the district court.

Jurisdiction of com-  
missioner.

"Petty offense."

35 Stat. 1152.

Criminal offense.

SEC. 3. The commissioner shall have power to issue process in the name of the United States for the arrest of any person charged with the commission within said park of any criminal offense not covered by the provisions of section 2 of this Act, and to hear the evidence introduced. If he is of the opinion that probable cause is shown for holding the person so charged for trial, he shall commit such person for further appropriate action, and shall certify a transcript of the record of his proceedings and the testimony in such case to the district court, which court shall have jurisdiction of the case.

SEC. 4. All fees, costs, and expenses arising in cases under this Act and properly chargeable to the United States shall be certified,

Fees, costs, expenses,  
etc.



approved, and paid as are like fees, costs, and expenses in the courts of the United States. All fines, fees, costs, and expenses imposed and collected shall be deposited by the commissioner, or by the marshal of the United States collecting the same, with the clerk of the United States District Court for the Western District of Texas.

Approved May 15, 1947.

[CHAPTER 56]

AN ACT

May 15, 1947  
[H. R. 492]  
[Public Law 53]

To authorize the juvenile court of the District of Columbia in proper cases to waive jurisdiction in capital offenses and offenses punishable by life imprisonment.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 13 of the Act of June 1, 1938, 52 Stat. 599 (11 D. C. Code 914), be, and the same is hereby, amended as follows:

D. C. juvenile court.  
Waiver of jurisdiction.

"SEC. 13. If a child sixteen years of age or older is charged with an offense which would amount to a felony in the case of an adult, or any child charged with an offense which if committed by an adult is punishable by death or life imprisonment, the judge may, after full investigation, waive jurisdiction and order such child held for trial under the regular procedure of the court which would have jurisdiction of such offense if committed by an adult; or such other court may exercise the powers conferred upon the juvenile court in this Act in conducting and disposing of such cases."

Approved May 15, 1947.

[CHAPTER 57]

AN ACT

May 15, 1947  
[H. R. 729]  
[Public Law 54]

To provide that the United States District Court for the Western District of Virginia shall alone appoint the United States commissioner for the Shenandoah National Park.

Shenandoah National Park.  
Appointment of commissioner.

50 Stat. 702.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the first sentence of section 5 of the Act entitled "An Act to direct the Secretary of the Interior to notify the State of Virginia that the United States assumes police jurisdiction over the lands embraced within the Shenandoah National Park, and for other purposes", approved August 19, 1937 (U. S. C., 1940 edition, title 16, sec. 403c-5), is amended by striking out "upon the recommendation and approval of the Secretary of the Interior of a qualified candidate".

Approved May 15, 1947.

[CHAPTER 58]

AN ACT

May 15, 1947  
[H. R. 1363]  
[Public Law 55]

To amend further the Pay Readjustment Act of 1942, as amended.

56 Stat. 361.  
37 U. S. C. § 104.  
Allowances based  
on purported marriage.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Pay Readjustment Act of 1942, as amended, is hereby amended by adding the following paragraph at the end of section 4 thereof:

"Payments of allowances which have been or hereafter may be made under this Act based on a purported marriage and made prior to judicial annulment or termination of such marriage are valid: *Provided,* That it is adjudged or decreed by a court of competent jurisdiction that the marriage was entered into in good faith on the part

of the spouse in military service or that, in the absence of such a judgment or decree, such finding of good faith is made by the head of the department concerned or by such officer of the department concerned as he may designate for the purpose."

Approved May 15, 1947.

[CHAPTER 59]

AN ACT

To establish a Chief of Chaplains in the United States Navy, and for other purposes.

May 15, 1947  
[H. R. 1365]  
[Public Law 56]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there shall be in the Bureau of Naval Personnel a Chief of Chaplains, designated by the Chief of Naval Personnel from among officers of the Chaplain Corps of the Regular Navy not below the rank of commander; and that such officer shall, while so serving, have the rank of rear admiral and shall receive the pay and allowances provided by law for rear admirals of the upper half.

Navy.  
Chief of Chaplains.  
*Post*, p. 880.

SEC. 2. The Act of December 22, 1944 (ch. 661, 58 Stat. 886), is hereby repealed.

Repeal.  
34 U. S. C. § 91 note.

Approved May 15, 1947.

[CHAPTER 60]

AN ACT

To amend the Act entitled "An Act providing for the reorganization of the Navy Department, and for other purposes", approved June 20, 1940, to amend the Act entitled "An Act authorizing the President to appoint an Under Secretary of War during national emergencies, fixing the compensation of the Under Secretary of War, and authorizing the Secretary of War to prescribe duties", approved December 16, 1940, as amended, and for other purposes.

May 15, 1947  
[H. R. 1369]  
[Public Law 57]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 3 of the Act entitled "An Act providing for the reorganization of the Navy Department, and for other purposes", approved June 20, 1940 (54 Stat. 494), is amended by striking out from the first sentence thereof the following words: "to serve during any national emergency declared by him to exist, including the present limited emergency".

Navy Department.  
Under Secretary.

5 U. S. C. § 421b.

SEC. 2. The Act entitled "An Act authorizing the President to appoint an Under Secretary of War during national emergencies, fixing the compensation of the Under Secretary of War, and authorizing the Secretary of War to prescribe duties", approved December 16, 1940 (54 Stat. 1224), as amended, is amended as follows:

War Department.  
Under Secretary.

5 U. S. C. §§ 181a  
and note, 182.

(a) By striking from the title thereof the words: "during national emergencies";

(b) By striking the first sentence from the last paragraph of section 2 thereof.

58 Stat. 807.  
5 U. S. C. § 181a  
note.

Approved May 15, 1947.

[CHAPTER 61]

AN ACT

To amend the Act of July 20, 1942 (56 Stat. 662), relating to the acceptance of decorations, orders, medals, and emblems by officers and enlisted men of the armed forces of the United States tendered them by governments of belligerent nations or other American Republics.

May 15, 1947  
[H. R. 1381]  
[Public Law 58]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 1 of the Act of July 20, 1942 (56 Stat. 662; 10 U. S. C. 1423a), be, and hereby is, amended to read as follows:

Members of armed  
forces.  
Acceptance of deco-  
rations from certain  
foreign governments.  
*Post*, pp. 453, 715.

1 Stat. 15.  
Wearing of decorations.

"That officers and enlisted men of the armed forces of the United States be, and they are hereby, authorized during the present war and for a year thereafter to accept from the governments of cobelligerent nations, neutral nations, or the other American Republics such decorations, orders, medals, and emblems, as may be tendered them, and which are conferred by such governments upon members of their own military forces, hereby expressly granting the consent of Congress required for this purpose by clause 8 of section 9, article I, of the Constitution: *Provided*, That any such officer or enlisted man is hereby authorized to wear any decoration, order, medal, or emblem accepted pursuant to authority contained in this Act or heretofore accepted by such person from the government of a cobelligerent nation, neutral nation, or of an American Republic."

Approved May 15, 1947.

[CHAPTER 62]

AN ACT

May 15, 1947  
[H. R. 2753]  
[Public Law 59]

To amend the Act entitled "An Act to provide for the administration of the Washington National Airport, and for other purposes", approved June 29, 1940.

Washington National Airport.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act entitled "An Act to provide for the administration of the Washington National Airport, and for other purposes", approved June 29, 1940 (54 Stat. 686), is amended by adding at the end thereof the following new sections:

Power to make arrests.

"SEC. 4. (a) The Administrator, and any Civil Aeronautics Administration employee appointed to protect life and property on the airport, when designated by the Administrator, is hereby authorized and empowered (1) to arrest under a warrant within the limits of the airport any person accused of having committed within the boundaries of the airport any offense against the laws of the United States, or against any rule or regulation prescribed pursuant to this Act; (2) to arrest without warrant any person committing any such offense within the limits of the airport, in his presence; or (3) to arrest without warrant within the limits of the airport any person whom he has reasonable grounds to believe has committed a felony within the limits of the airport.

Carrying of weapons.

"(b) Any individual having the power of arrest as provided in subsection (a) of this section may carry firearms or other weapons as the Administrator may direct or by regulation may prescribe.

Patrol by U. S. Park Police.

"(c) The United States Park Police may, at the request of the Administrator, be assigned by the Director of the National Park Service, in his discretion, subject to the supervision and direction of the Secretary of the Interior, to patrol any area of the airport, and any members of the United States Park Police so assigned are hereby authorized and empowered to make arrests within the limits of the airport for the same offenses, and in the same manner and circumstances, as is provided in this section with respect to employees designated by the Administrator.

Penalty.

"SEC. 5. Any person who knowingly and willfully violates any rule or regulation prescribed under this Act shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not more than \$500 or imprisoned not more than six months, or both.

Deposit of collateral.

"SEC. 6. The officer on duty in command of those employees designated by the Administrator as provided in section 4 may accept deposit of collateral from any person charged with the violation of any rule or regulation prescribed under this Act, for appearance in court or

before the appropriate United States commissioner; and such collateral shall be deposited with the United States commissioner at Alexandria, Virginia.

"SEC. 7. The Administrator may enter into agreements with the State of Virginia, or with any political subdivision thereof, for such municipal services as the Administrator shall deem necessary to the proper and efficient government of the airport, and he may, from time to time, agree to modifications in any such agreement: *Provided, however,* That where the charge for any such service is established by the laws of the State of Virginia, the Administrator may not pay for such service an amount in excess of the charge so established. There is hereby authorized to be appropriated such sums as may be necessary for the making of payment for services under any such agreement."

Agreements for  
municipal services.

Charges.

Appropriations au-  
thorized.

Approved May 15, 1947.

[CHAPTER 63]

AN ACT

Authorizing and directing the removal of stone piers in West Executive Avenue between the grounds of the White House and the Department of State Building.

May 15, 1947  
[H. R. 2346]  
[Public Law 60]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Director of the National Park Service is hereby authorized and directed to remove the stone piers from West Executive Avenue between the grounds of the White House and the Department of State Building.

Approved May 15, 1947.

[CHAPTER 67]

AN ACT

To amend the Act approved December 28, 1945 (59 Stat. 663), entitled "An Act to provide for the appointment of additional commissioned officers in the Regular Army, and for other purposes", as amended by the Act of August 8, 1946 (Public Law 670, Seventy-ninth Congress).

May 15, 1947  
[H. R. 1605]  
[Public Law 61]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, effective December 28, 1945, the Act entitled "An Act to provide for the appointment of additional commissioned officers in the Regular Army, and for other purposes", approved December 28, 1945 (59 Stat. 663), as amended by the Act of August 8, 1946 (Public Law 670, Seventy-ninth Congress), is further amended by inserting after section 8 thereof an additional section as follows:

Regular Army.  
Appointment of ad-  
ditional officers.

60 Stat. 925.  
10 U. S. C. §§ 481,  
505-505d, 552a, 552c.  
Post, pp. 735, 736.

Time of appoint-  
ment.

"SEC. 9. For the purpose of administering the provisions of this Act, the date of nomination by the President if the Senate is in session, or if the Senate is in recess the date of a recess appointment by the President, shall be considered as the date or time of appointment in determining eligibility for appointment, permanent grade in which appointed, date of rank in such grade, period of service to be credited under section 5 hereof, and eligibility for promotion of each person appointed as a commissioned officer of the Regular Army under the provisions of this Act: *Provided,* That no person appointed under the provisions of this Act shall be entitled, by reason of such appointment, to any pay or allowances for any period prior to the date of acceptance of such appointment."

59 Stat. 664.  
10 U. S. C. § 505c.  
Post, p. 735.  
Pay and allowances.

Approved May 15, 1947.

## [CHAPTER 68]

## AN ACT

May 16, 1947  
[H. R. 1359]  
[Public Law 62]

To amend the Act of August 29, 1916 (39 Stat. 556), as amended, so as to increase the total authorized number of commissioned officers of the active list of the Corps of Civil Engineers of the Navy.

Navy.  
Corps of Civil En-  
gineers.

34 U. S. C. § 3.  
*Post*, p. 877.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That that part of the Act of August 29, 1916 (39 Stat. 576), such Act having been amended by the Act of July 22, 1935 (49 Stat. 488), which relates to the commissioned officer strength of the active list of the Corps of Civil Engineers, is hereby further amended by striking out the figure "2" as it appears after the words "Civil Engineers" in line 2, paragraph 5, page 489, of volume 49, Statutes at Large, and inserting in lieu thereof the figure "3".

Approved May 16, 1947.

## [CHAPTER 69]

## AN ACT

May 16, 1947  
[H. R. 1367]  
[Public Law 63]

To authorize the construction of experimental submarines, and for other purposes.

Construction of ex-  
perimental subma-  
rines.  
60 Stat. 6.

Cost limitation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, notwithstanding the provisions of the Act of February 18, 1946 (Public Law 301, Seventy-ninth Congress, ch. 30, second session), or any other provision of law enacted prior to the date of approval of this Act, the Secretary of the Navy is authorized and directed to undertake the construction of approximately four thousand displacement tons of submarine vessels for experimental purposes in order to guide the future design and construction of such vessels: *Provided*, That the cost of the vessels, the construction of which is authorized by this Act, shall not exceed \$30,000,000.

Approved May 16, 1947.

## [CHAPTER 70]

## AN ACT

May 16, 1947  
[H. R. 1368]  
[Public Law 64]

To include civilian officers and employees of the United States Naval Government of Guam among those persons who are entitled to the benefits of Public Law 490 of the Seventy-seventh Congress, approved March 7, 1942 (56 Stat. 143), as amended, and for other purposes.

Missing Persons  
Act, amendment.

50 U. S. C. app.  
§ 1001 (a) (3).  
*Post*, p. 453.  
Civilian officers and  
employees outside  
U. S.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That subsection (a) (3) of section 1 of Public Law 490 of the Seventy-seventh Congress approved March 7, 1942 (56 Stat. 143), as amended by Public Law 408 of the Seventy-eighth Congress approved July 1, 1944 (58 Stat. 679), is hereby further amended to read as follows:

"(3) civilian officers and employees of departments and civilian officers and employees of the United States Naval Government of Guam, during such time as they may be assigned for duty or serving outside the continental limits of the United States or in Alaska, exclusive of part-time or intermittent employees or native labor casually hired on an hourly or per diem basis;"

SEC. 2. Appropriations which have been made or which may be made for the Navy Department and the naval service shall be available and may be used for the payment of such sums as may have accrued prior to July 21, 1944, to the credit of, and which remain unpaid to, civilian officers and employees of the United States Naval Government

of Guam under the provisions and the authority of Public Law 490 of the Seventy-seventh Congress approved March 7, 1942 (56 Stat. 143), as heretofore and herein amended.

Approved May 16, 1947.

50 U. S. C. app.  
§§ 1001-1017.  
Post, p. 453.

## [CHAPTER 71]

## AN ACT

To relieve collectors of customs of liability for failure to collect certain special tonnage duties and light money, and for other purposes.

May 16, 1947  
[S. 132]

[Public Law 65]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That no collector of customs shall be held liable to the United States for his failure to collect special tonnage duties provided for in the first sentence of section 4219 of the Revised Statutes, as amended (U. S. C., 1940 edition, title 46, sec. 121), nor for his failure in connection therewith to collect light money provided for in section 4225 of the Revised Statutes, as amended (U. S. C., 1940 edition, title 46, section 128), in connection with the entry from a foreign port of any foreign vessel prior to October 1, 1940; nor shall any such vessel hereafter be held liable for the payment of any such special tonnage duties or light money in connection with any entry prior to October 1, 1940.

Collection of special  
tonnage duties and  
light money.

Approved May 16, 1947.

## [CHAPTER 72]

## AN ACT

To amend section 327 (h) of the Nationality Act of 1940.

May 16, 1947  
[S. 460]

[Public Law 66]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That title I, subchapter III, section 327, subsection (h), of the Act of October 14, 1940 (54 Stat. 1151; 8 U. S. C. 727 (h)), be and the same is hereby, amended to read as follows:

"SEC. 327. (h) The officers in charge of property owned or leased by the Government are authorized, upon the recommendation of the Attorney General, to provide quarters, without payment of rent, in any building occupied by the Service, for a photographic studio, operated by welfare organizations without profit and solely for the benefit of persons seeking to comply with requirements under the immigration and nationality laws. Such studio shall be under the supervision of the Commissioner."

Photographic studio.

Approved May 16, 1947.

## [CHAPTER 73]

## AN ACT

To authorize additional allowances of good time and the payment of compensation to prison inmates performing exceptionally meritorious or outstanding services.

May 16, 1947  
[S. 534]

[Public Law 67]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in the discretion of the Attorney General and under rules and regulations promulgated by him—

(a) the additional deductions from sentences of prisoners employed in industries or camps authorized by section 8 of the Act of May 27, 1930 (46 Stat. 391; 18 U. S. C. 744h), may be

Prison inmates.  
Additional deduc-  
tions from sentences.

Payments from  
prison industries fund.

extended to prisoners performing exceptionally meritorious or outstanding services in institutional operations; and

(b) the prison industries fund established by section 4 of the Act of June 23, 1934 (48 Stat. 1211; 18 U. S. C. 744-1), may be employed in paying compensation to such prisoners.

Approved May 16, 1947.

[CHAPTER 74]

AN ACT

May 16, 1947

[S. 64]

[Public Law 68]

Granting the consent of Congress for the construction of a dam across Dan River in North Carolina.

Dan River, N. C.  
Dam.

Approval of plans.

Restriction.

Damage claims.

58 Stat. 894.

Reconstruction, etc.,  
of stream-gaging facility.

Time limitation.

Rights reserved.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to Duke Power Company, its successors and assigns, to construct, maintain, and operate a low dam across Dan River at a point in Rockingham County, North Carolina, near Leaksville, and about ninety-one miles above the mouth of said river at Clarksville, Virginia, for the purpose of providing a pool for condenser water for a steam electric plant: *Provided*, That work shall not be commenced until the plans therefor have been submitted to and approved by the Chief of Engineers, United States Army, and by the Secretary of War, and when such plans have been approved by the Chief of Engineers and by the Secretary of War, it shall not be lawful to deviate from such plans either before or after completion of said dam unless the modification of such plans has previously been submitted to and approved by the Chief of Engineers and the Secretary of War: *Provided further*, That in approving the plans for said dam such conditions and stipulations may be imposed as the Chief of Engineers and Secretary of War may deem necessary to protect the present and future interest of the United States: *And provided further*, That this Act shall not be construed to authorize the use of such dam to develop water power or generate hydroelectric energy: *And provided further*, That the grantee, or its successors, shall hold and save the United States free from all claims arising from damage which may be sustained by the dam herein authorized, or damage sustained by the appurtenances of the said dam, by reason of the future construction and operation by the United States of Philpott Reservoir or of the proposed dam across Dan River at Schoolfield, Virginia, as proposed in House Document Numbered 650, Seventy-eighth Congress, and approved for construction in Public Law 534, Seventy-eighth Congress, second session, or other Federal project: *And provided further*, That the grantee shall, at the direction of the district engineer, Corps of Engineers, and without cost to the United States, reconstruct or relocate the existing stream-gaging facility owned by the United States Geological Survey and situated on the Dan River in the vicinity of Leaksville, North Carolina.

SEC. 2. The authority granted by this Act shall cease and be deemed null and void unless the actual construction of the dam hereby authorized is commenced within three years and completed within five years from the date of approval of this Act.

SEC. 3. The right to alter, amend or repeal this Act is hereby expressly reserved.

Approved May 16, 1947.

## [CHAPTER 75]

## AN ACT

To change the name of the Lugert-Altus irrigation project in the State of Oklahoma to the W. C. Austin project.

May 16, 1947  
[S. 214]  
[Public Law 69]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, in honor and recognition of the outstanding service of the late W. C. Austin in securing irrigation for the benefit of southwestern Oklahoma, the project in the State of Oklahoma known as the Lugert-Altus irrigation project shall hereafter be known and designated as the W. C. Austin project. Any law, regulation, document, or record of the United States in which such project is designated or referred to under the name of the Lugert-Altus irrigation project shall be held to refer to such project under and by the name of the W. C. Austin project.

Approved May 16, 1947.

W. C. Austin project,  
Okla.

## [CHAPTER 76]

## AN ACT

Providing for the conveyance to the town of Marblehead, in the State of Massachusetts, of Marblehead Military Reservation for public use.

May 16, 1947  
[H. R. 450]  
[Public Law 70]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the United States Coast Guard, or such agency of the United States as holds title, be, and hereby is, authorized and directed, upon payment to the United States of the sum of \$5,000, to convey, by quitclaim deed, to the town of Marblehead, in the State of Massachusetts, for perpetual use as a public park or other public use, all the proprietary right, title, and interest of the United States to and in that certain tract of land, together with all improvements thereon owned by the United States, embraced within the military reservation situated on Marblehead Neck at the east entrance to Marblehead Harbor, in the State of Massachusetts, and containing approximately three and seventy-four one-hundredths acres; the said property being that which was acquired by the War Department from the Department of Commerce pursuant to an Act of Congress approved May 28, 1935 (Public Law Numbered 81, Seventy-fourth Congress): *Provided*, That an area one hundred feet square surrounding the lighthouse tower, with right-of-way both by land and sea, shall be reserved for lighthouse purposes: *Provided further*, That the town of Marblehead shall not have the right to sell or convey aforesaid property, nor to devote the same to any other than for a public park use; and in the event that said property shall not be used as above provided, the right, title, and interest hereby authorized to be conveyed shall revert to the United States.

Marblehead, Mass.  
Conveyance.

49 Stat. 306.  
Lighthouse area.

Restrictions.

Reversion provision.

Approved May 16, 1947.

## [CHAPTER 77]

## JOINT RESOLUTION

To correct technical errors in the Act approved August 13, 1946 (Public Law 729, Seventy-ninth Congress, second session).

May 16, 1947  
[H. J. Res. 116]  
[Public Law 71]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act approved August 13, 1946 (Public Law 729, Seventy-ninth Congress, second session), is hereby amended as follows:

(a) Strike out "6 (a)" in paragraph (a) of section 3 and substitute in lieu thereof the following: "(a) of section 6".

Navy.  
Officer candidate  
training program.  
60 Stat. 1057.  
34 U. S. C. §§ 1020-  
1020f.  
60 Stat. 1058.  
34 U.S.C. § 1020b(a).



60 Stat. 1058.  
34 U. S. C. § 1020b(b).

(b) Insert a comma between the second occurrence of the word "work" and the word "and" in clause (1) of paragraph (b) of section 3.

60 Stat. 1058.  
34 U. S. C. § 1020c.

(c) Strike out the first occurrence of the word "and" and substitute in lieu thereof a comma in clause (2) of paragraph (b) of section 3.

60 Stat. 1059.  
34 U. S. C. § 1020d.

(d) Strike out the word "part" wherever occurring in section 4 and substitute in lieu thereof the word "paragraph".

60 Stat. 1059.  
34 U. S. C. § 1020e.

(e) Strike out the word "part" in section 5 and substitute in lieu thereof the word "paragraph".

(f) Insert between the letter "(a)" and the word "Midshipmen" in subsection (a) of section 6 the following: "1."

(g) Strike out "section 3 (a)" in the first paragraph of subsection (a) of section 6 and substitute in lieu thereof the following: "paragraph (a) of section 3".

(h) Strike out "section 3 (b)" in paragraph 2 of subsection (a) of section 6 and substitute in lieu thereof the following: "paragraph (b) of section 3"; and in the same said paragraph strike out the word "part" and substitute in lieu thereof the word "paragraph".

(i) Insert a comma between the second occurrence of the word "year" and the word "and" in subsection (d) of section 6.

60 Stat. 1060.  
34 U. S. C. § 1020f.  
Commission in reserve component upon application.

(j) Amend section 7 to read as follows:

"SEC. 7. Any officer commissioned under paragraph 1 of subsection (a) of section 6 or under subsection (b) of section 6 may, upon his own application, after not less than fifteen months or two years, respectively, of satisfactory service as a commissioned officer, have his commission in the Regular service terminated and be commissioned in the Naval Reserve or the Marine Corps Reserve, and, in the discretion of the Secretary of the Navy, be released from active duty. The date of rank in such commission in a reserve component shall be the same as that of the commission previously held in the Regular service."

60 Stat. 1060.  
34 U. S. C. § 1020g.

(k) Strike out "subsection 2 of section 6 (a)" in section 8 and substitute in lieu thereof the following: "paragraph 2 of subsection (a) of section 6".

60 Stat. 1060.  
34 U. S. C. § 1020h.

(l) Strike out "subsection 2 of section 6 (a)" in subsection (a) of section 9 and substitute in lieu thereof the following: "paragraph 2 of subsection (a) of section 6".

(m) Strike out "subsection 1 of section 6 (a)" in the first sentence of subsection (b) of section 9 and substitute in lieu thereof the following: "paragraph 1 of subsection (a) of section 6". In the same said first sentence strike out "section 6 (b)" and substitute in lieu thereof the following: "subsection (b) of section 6".

60 Stat. 1060.  
34 U. S. C. § 1020i.

(n) Strike out "subsection 9 (a)" in section 10 and substitute in lieu thereof the following: "subsection (a) of section 9".

60 Stat. 1061.  
34 U. S. C. § 1039.  
Appointments of midshipmen.

(o) Amend section 16 to read as follows:

"SEC. 16. (a) The President may appoint annually seventy-five midshipmen to the United States Naval Academy from among the sons of Army, Navy, and Marine Corps personnel.

34 U. S. C. § 1032.

"(b) The Act of December 20, 1917 (40 Stat. 430), as amended, is hereby further amended to read as follows: 'There shall be allowed at the United States Naval Academy five midshipmen for each Senator, Representative, Delegate in Congress, and Resident Commissioner from Puerto Rico, and from the District of Columbia, one hundred and sixty appointed annually from enlisted men of the Navy and Marine Corps, and one hundred and sixty appointed annually from enlisted men of the Naval Reserve and Marine Corps Reserve by the Secretary of the Navy under similar conditions so far as applicable as prescribed by law for appointments from enlisted men of the Navy.'

60 Stat. 1061.  
34 U. S. C. § 61.

(p) Strike out the word "not" in section 19. Substitute the word "and" in lieu of the word "nor" in the same said section.

Effective date.

SEC. 2. This joint resolution shall be effective from August 13, 1946.

Approved May 16, 1947.

## [CHAPTER 78]

## AN ACT

To limit the time within which the General Accounting Office shall make final settlement of the monthly or quarterly accounts of fiscal officers, and for other purposes.

May 19, 1947  
[S. 273]  
[Public Law 72]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, effective three years after the date of enactment of this Act, the monthly or quarterly accounts of any disbursing, accountable, or certifying officer of the Government shall be settled by the General Accounting Office within a period of not to exceed three years from the date of the receipt of the account by the General Accounting Office. A copy of the certificate of settlement in each case shall be sent to the officer involved and such settlement shall be final and conclusive on the General Accounting Office after the expiration of three years from the date of receipt of the account to the extent that no further charges or debts shall be raised in such account thereafter except as to moneys which have been or may be lost to the United States due to fraud or criminality on the part of said officer: *Provided*, That nothing herein shall be construed to prohibit recovery from any payee of public moneys illegally or erroneously paid to such payee or to preclude the recovery from the disbursing, accountable, or certifying officer or his surety of any balance found due the Government under a settlement made within the period of three years as herein provided: *Provided further*, That nothing herein shall be construed to deprive any such officer of his right at any time to clear his accounts of questioned items in accordance with the provisions of existing law: *Provided further*, That the period of limitation above prescribed shall be regarded as suspended for the duration of any future war in which the United States may be engaged.

Period for settlement of monthly or quarterly accounts by GAO.

Certificate of settlement.

Recovery of illegal payments, etc.

Clearance of questioned items.

Suspension.

Approved May 19, 1947.

## [CHAPTER 79]

## AN ACT

Authorizing the reduction of certain accrued interest charges payable by the Farmers' Irrigation District, North Platte project.

May 19, 1947  
[H. R. 804]  
[Public Law 73]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is hereby authorized in administering the North Platte project, Nebraska-Wyoming, to enter into a contract modifying the contract of July 15, 1927, heretofore entered into pursuant to the Act of February 21, 1911 (36 Stat. 925), between the United States and the Farmers' Irrigation District, a corporation organized and existing under the laws of the State of Nebraska, whereby the said district shall be relieved and excused of the obligation to pay \$59,853, representing part of the accrued interest due the United States from the district pursuant to the terms of article 2 (c) of said contract of July 15, 1927: *Provided*, That the district agrees, on terms satisfactory to the Secretary, to operate and maintain the several drain diversion works now or hereafter to be constructed emptying waste, seepage, and return flow waters into the district's canal.

Farmers' Irrigation District, North Platte project.

43 U. S. C. §§ 523-525.

Operation, etc., of drain diversion works.

Approved May 19, 1947.

## [CHAPTER 80]

## AN ACT

May 19, 1947  
[H. R. 1098]

[Public Law 74]

To authorize the segregation and expenditure of trust funds held in joint ownership by the Shoshone and Arapaho Tribes of the Wind River Reservation.

Shoshone and Arapaho Tribes, Wind River Reservation.  
Division of trust funds.

Outstanding loans.

Establishment of trust fund accounts.

Interest.

Division of future revenues.

Availability of trust funds.

Per capita payments.

Claims against payments.

25 U. S. C. § 386a.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is hereby authorized and directed to divide the trust funds on deposit in the Treasury of the United States to the joint credit of the Shoshone and Arapaho Tribes of the Wind River Reservation, Wyoming, including the unexpended balance of the treaty funds arising under section 12 of the Act of June 7, 1897 (30 Stat. 93), between the Shoshone Tribe and the Arapaho Tribe, crediting one-half of the total amount in the principal account to a principal trust fund account and one-half of the total amount in the interest account to an interest trust fund account for each tribe: *Provided*, That in dividing the funds there shall be taken into consideration in determining the amount to be credited to each tribe the outstanding loans made from joint trust funds to the Indians of each tribe.

SEC. 2. The Comptroller of the United States, upon request of the Secretary of the Interior, is authorized and directed to establish a trust fund account for each tribe and the Secretary of the Treasury shall make such transfer of funds on the books of his department as may be necessary to effect the purpose of section 1 of this Act: *Provided*, That interest shall accrue on the principal fund only, at the rate of 4 per centum per annum, and shall be credited to the interest trust fund accounts established by this section: *Provided further*, That all future revenues derived from the Wind River Reservation under existing law shall be divided in accordance with section 1 of this Act and credited to the principal trust fund accounts established herein.

SEC. 3. Notwithstanding any other provision of existing law, the trust funds credited to the Shoshone Tribe and the Arapaho Tribe, respectively, under the provisions of this Act shall be available for expenditure or for advance to the tribe for such purposes as may be requested by the tribal council and approved by the Secretary of the Interior or such official as may be designated by him: *Provided*, That two-thirds of said trust funds as initially established, and two-thirds of all sums credited thereto during a period of five years from and after the enactment of this Act, shall be paid on the first day of September and the first day of March each year, per capita, to the individual members of said tribes, and any sums distributed per capita out of the funds described in section 1 of this Act on or after April 1, 1947, shall be taken into consideration in determining the sums to be distributed under this proviso to the same effect as if this Act had been in force on and after April 1, 1947: *Provided further*, That said per capita payments shall not be subject to any lien or claim of any nature against any of the members of said tribes unless the tribal council of such member shall consent thereto in writing, except as to reimbursable Treasury loans made to individual members of either tribe which may be due to the United States, and except as to irrigation charges owed by individual Indians to the United States, but this latter exception shall not become operative until a report upon irrigation charges within the Wind River Irrigation Project has been made and becomes effective in accordance with the Act of July 1, 1932 (ch. 369, 47 Stat. 564).

Approved May 19, 1947.

## [CHAPTER 81]

## AN ACT

To provide for assistance to Greece and Turkey.

May 22, 1947

[S. 938]

[Public Law 75]

Whereas the Governments of Greece and Turkey have sought from the Government of the United States immediate financial and other assistance which is necessary for the maintenance of their national integrity and their survival as free nations; and

Whereas the national integrity and survival of these nations are of importance to the security of the United States and of all freedom-loving peoples and depend upon the receipt at this time of assistance; and

Whereas the Security Council of the United Nations has recognized the seriousness of the unsettled conditions prevailing on the border between Greece on the one hand and Albania, Bulgaria, and Yugoslavia on the other, and, if the present emergency is met, may subsequently assume full responsibility for this phase of the problem as a result of the investigation which its commission is currently conducting; and

Whereas the Food and Agriculture Organization mission for Greece recognized the necessity that Greece receive financial and economic assistance and recommended that Greece request such assistance from the appropriate agencies of the United Nations and from the Governments of the United States and the United Kingdom; and

Whereas the United Nations is not now in a position to furnish to Greece and Turkey the financial and economic assistance which is immediately required; and

Whereas the furnishing of such assistance to Greece and Turkey by the United States will contribute to the freedom and independence of all members of the United Nations in conformity with the principles and purposes of the Charter: Now, therefore,

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the provisions of any other law, the President may from time to time when he deems it in the interest of the United States furnish assistance to Greece and Turkey, upon request of their governments, and upon terms and conditions determined by him—

(1) by rendering financial aid in the form of loans, credits, grants, or otherwise, to those countries;

(2) by detailing to assist those countries any persons in the employ of the Government of the United States; and the provisions of the Act of May 25, 1938 (52 Stat. 442), as amended, applicable to personnel detailed pursuant to such Act, as amended, shall be applicable to personnel detailed pursuant to this paragraph: *Provided, however,* That no civilian personnel shall be assigned to Greece or Turkey to administer the purposes of this Act until such personnel have been investigated by the Federal Bureau of Investigation;

(3) by detailing a limited number of members of the military services of the United States to assist those countries, in an advisory capacity only; and the provisions of the Act of May 19, 1926 (44 Stat. 565), as amended, applicable to personnel detailed pursuant to such Act, as amended, shall be applicable to personnel detailed pursuant to this paragraph;

(4) by providing for (A) the transfer to, and the procurement for by manufacture or otherwise and the transfer to, those countries of any articles, services, and information, and (B) the instruction and training of personnel of those countries; and

Powers of President.

Financial aid.

Detail of U. S. employees.

5 U. S. C. § 118e.

Investigation by FBI.

Detail of military personnel.

10 U. S. C. § 540.

Transfer of articles, etc.; instruction and training.

Incurring and defraying of expenses.

(5) by incurring and defraying necessary expenses, including administrative expenses and expenses for compensation of personnel, in connection with the carrying out of the provisions of this Act.

Allocation of funds to agencies.

SEC. 2. (a) Sums from advances by the Reconstruction Finance Corporation under section 4 (a) and from the appropriations made under authority of section 4 (b) may be allocated for any of the purposes of this Act to any department, agency, or independent establishment of the Government. Any amount so allocated shall be available as advancement or reimbursement, and shall be credited, at the option of the department, agency, or independent establishment concerned, to appropriate appropriations, funds or accounts existing or established for the purpose.

Availability.

Advance payments by Greece or Turkey.

(b) Whenever the President requires payment in advance by the Government of Greece or of Turkey for assistance to be furnished to such countries in accordance with this Act, such payments when made shall be credited to such countries in accounts established for the purpose. Sums from such accounts shall be allocated to the departments, agencies, or independent establishments of the Government which furnish the assistance for which payment is received, in the same manner, and shall be available and credited in the same manner, as allocations made under subsection (a) of this section. Any portion of such allocation not used as reimbursement shall remain available until expended.

Allocation to agencies.

Reimbursements.

(c) Whenever any portion of an allocation under subsection (a) or subsection (b) is used as reimbursement, the amount of reimbursement shall be available for entering into contracts and other uses during the fiscal year in which the reimbursement is received and the ensuing fiscal year. Where the head of any department, agency, or independent establishment of the Government determines that replacement of any article transferred pursuant to paragraph (4) (A) of section 1 is not necessary, any funds received in payment therefor shall be covered into the Treasury as miscellaneous receipts.

Funds received for articles not replaced.

Payment in advance required by President.

(d) (1) Payment in advance by the Government of Greece or of Turkey shall be required by the President for any articles or services furnished to such country under paragraph (4) (A) of section 1 if they are not paid for from funds advanced by the Reconstruction Finance Corporation under section 4 (a) or from funds appropriated under authority of section 4 (b).

Advancement or reimbursement required by departments, etc.

(2) No department, agency, or independent establishment of the Government shall furnish any articles or services under paragraph (4) (A) of section 1 to either Greece or Turkey, unless it receives advancements or reimbursements therefor out of allocations under subsection (a) or (b) of this section.

Condition precedent to receipt of assistance.

SEC. 3. As a condition precedent to the receipt of any assistance pursuant to this Act, the government requesting such assistance shall agree (a) to permit free access of United States Government officials for the purpose of observing whether such assistance is utilized effectively and in accordance with the undertakings of the recipient government; (b) to permit representatives of the press and radio of the United States to observe freely and to report fully regarding the utilization of such assistance; (c) not to transfer, without the consent of the President of the United States, title to or possession of any article or information transferred pursuant to this Act nor to permit, without such consent, the use of any such article or the use or disclosure of any such information by or to anyone not an officer, employee, or agent of the recipient government; (d) to make such

provisions as may be required by the President of the United States for the security of any article, service, or information received pursuant to this Act; (e) not to use any part of the proceeds of any loan, credit, grant, or other form of aid rendered pursuant to this Act for the making of any payment on account of the principal or interest on any loan made to such government by any other foreign government; and (f) to give full and continuous publicity within such country as to the purpose, source, character, scope, amounts, and progress of United States economic assistance carried on therein pursuant to this Act.

SEC. 4. (a) Notwithstanding the provisions of any other law, the Reconstruction Finance Corporation is authorized and directed, until such time as an appropriation shall be made pursuant to subsection (b) of this section, to make advances, not to exceed in the aggregate \$100,000,000, to carry out the provisions of this Act, in such manner and in such amounts as the President shall determine.

(b) There is hereby authorized to be appropriated to the President not to exceed \$400,000,000 to carry out the provisions of this Act. From appropriations made under this authority there shall be repaid to the Reconstruction Finance Corporation the advances made by it under subsection (a) of this section.

SEC. 5. The President may from time to time prescribe such rules and regulations as may be necessary and proper to carry out any of the provisions of this Act; and he may exercise any power or authority conferred upon him pursuant to this Act through such department, agency, independent establishment, or officer of the Government as he shall direct.

The President is directed to withdraw any or all aid authorized herein under any of the following circumstances:

(1) If requested by the Government of Greece or Turkey, respectively, representing a majority of the people of either such nation;

(2) If the Security Council finds (with respect to which finding the United States waives the exercise of any veto) or the General Assembly finds that action taken or assistance furnished by the United Nations makes the continuance of such assistance unnecessary or undesirable;

(3) If the President finds that any purposes of the Act have been substantially accomplished by the action of any other inter-governmental organizations or finds that the purposes of the Act are incapable of satisfactory accomplishment; and

(4) If the President finds that any of the assurances given pursuant to section 3 are not being carried out.

SEC. 6. Assistance to any country under this Act may, unless sooner terminated by the President, be terminated by concurrent resolution by the two Houses of the Congress.

SEC. 7. The President shall submit to the Congress quarterly reports of expenditures and activities, which shall include uses of funds by the recipient governments, under authority of this Act.

SEC. 8. The chief of any mission to any country receiving assistance under this Act shall be appointed by the President, by and with the advice and consent of the Senate, and shall perform such functions relating to the administration of this Act as the President shall prescribe.

Approved May 22, 1947.

Advances by RFC.

Appropriation authorized.  
Post, p. 613.  
Repayment to RFC.

Rules and regulations.

Exercise of powers of President.

Withdrawal of aid.

Termination of assistance.

Reports to Congress.

Appointment of chief of mission.

## [CHAPTER 82]

## AN ACT

May 26, 1947  
[H. R. 3245]  
[Public Law 76]

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes.

Second Deficiency  
Appropriation Act,  
1947.  
*Post*, p. 118.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes, namely:

## TITLE I—GENERAL APPROPRIATIONS

## LEGISLATIVE

60 Stat. 386.

## SENATE

Inquiries and in-  
vestigations.

Salaries, officers and employees, Senate, fiscal year 1947, \$50,000.

For an additional amount for expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers of committees, at such rate as may be fixed by the Committee on Rules and Administration of the Senate, but not exceeding 25 cents per hundred words, fiscal year 1947, \$100,000: *Provided*, That no part of this appropriation shall be expended for per diem and subsistence expenses except in accordance with the provisions of the Subsistence Expense Act of 1926, approved June 3, 1926, as amended.

60 Stat. 391.

44 Stat. 688.  
5 U. S. C. § 821.

For an additional amount for miscellaneous items, exclusive of labor, fiscal year 1947, \$200,000.

60 Stat. 392.

## HOUSE OF REPRESENTATIVES

For payment to Florence I. Gerlach, widow of Charles L. Gerlach, late a Representative from the State of Pennsylvania, \$12,500.

For payment to Howard A. Norman and Evelyn Norman Carlson, son and daughter of Fred Norman, late a Representative from the State of Washington, \$12,500.

## SALARIES, OFFICERS AND EMPLOYEES

60 Stat. 393.

For an additional amount for salaries of officers and employees, House of Representatives, required by reason of the enactment of the "Legislative Reorganization Act of 1946", fiscal year 1947, \$110,000.

60 Stat. 812.

## CONTINGENT EXPENSES OF THE HOUSE

60 Stat. 397.

Reporting hearings: For an additional amount for stenographic reports of hearings of committees other than special and select committees, fiscal year 1947, \$30,000.

## THE JUDICIARY

## UNITED STATES SUPREME COURT

60 Stat. 476.

Printing and binding: For an additional amount, fiscal year 1947, for "Printing and binding", \$5,600.

## ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

60 Stat. 479.

Salaries: For an additional amount, fiscal year 1947, for "Salaries", \$7,500.

## EXECUTIVE OFFICE OF THE PRESIDENT

## OFFICE FOR EMERGENCY MANAGEMENT

## OFFICE OF DEFENSE TRANSPORTATION

Salaries and expenses: The limitation on the amount which may be expended for traveling expenses, fiscal year 1947, is hereby increased from "\$50,000" to "\$60,000".

60 Stat. 605.  
*Ante*, p. 16.

## WAR ASSETS ADMINISTRATION

Salaries and expenses: For an additional amount, fiscal year 1947, for "Salaries and expenses," War Assets Administration, \$75,000,000, to be derived from the special fund account in the Treasury established by the First Deficiency Appropriation Act, 1946.

60 Stat. 606.

59 Stat. 632.

## INDEPENDENT OFFICES

## FEDERAL SECURITY AGENCY

## PUBLIC HEALTH SERVICE

There are hereby transferred from the appropriation "Grants to States for Maternal and Child Health Services, Social Security Administration, 1947," sums as follows:

60 Stat. 681.

To:

Venereal diseases: For an additional amount, fiscal year 1947, for "Venereal diseases", \$23,400.

Tuberculosis: For an additional amount, fiscal year 1947, for "Tuberculosis", \$15,600.

Communicable diseases: For an additional amount, fiscal year 1947, for "Communicable diseases", \$99,100.

Hospitals and medical care: For an additional amount, fiscal year 1947, for "Hospitals and medical care", \$242,500.

Foreign quarantine service: For an additional amount, fiscal year 1947, for "Foreign quarantine service", \$10,400.

National Institute of Health, operating expenses: For an additional amount, fiscal year 1947, for "National Institute of Health, operating expenses", \$8,200.

Salaries and miscellaneous expenses: For an additional amount, fiscal year 1947, for "Salaries and miscellaneous expenses", \$8,700.

Office of International Health Relations: For an additional amount, fiscal year 1947, for "Office of International Health Relations", \$5,400.

## SOCIAL SECURITY ADMINISTRATION

Salaries, Bureau of Old-Age and Survivors Insurance: For an additional amount, fiscal year 1947, for "Salaries, Bureau of Old-Age and Survivors Insurance", \$375,000, and the limitation on the amount which may be expended from the Federal old-age and survivors insurance trust fund under this head in the Federal Security Agency Appropriation Act, 1947, is hereby increased by \$436,100, the whole to be accounted for as one fund: *Provided*, That any sums received by the Administrator as payment for services performed for any department or agency of the Government by persons whose salaries are paid from said fund shall be deposited to the credit of the fund and be available, during the fiscal year in which such sums are received, for the same purposes.

60 Stat. 694.

Miscellaneous expenses, Social Security Administration: For an additional amount, fiscal year 1947, for "Miscellaneous expenses, Social Security Administration", \$150,000.

60 Stat. 694.



## OFFICE OF THE ADMINISTRATOR

60 Stat. 696. Traveling expenses, Federal Security Agency: For an additional amount, fiscal year 1947, for "Traveling expenses, Federal Security Agency", \$75,000.

60 Stat. 696. Printing and binding, Federal Security Agency: For an additional amount, fiscal year 1947, for "Printing and binding, Federal Security Agency", \$103,000.

49 Stat. 620, 627, 645.  
42 U. S. C. §§ 301-306, 601-606, 1201-1206.  
Post, p. 260. Such sums as may be determined by the Bureau of the Budget to be necessary are hereby appropriated for making for the first quarter of the fiscal year 1948 (1) grants to States for assistance to aged needy individuals, needy dependent children, and needy individuals who are blind, as authorized in titles I, IV, and X, respectively, of the Social Security Act approved August 14, 1935, as amended, and (2) grants to States for unemployment compensation administration: *Provided*, That the obligations incurred and expenditures made for each of such purposes under the authority of this appropriation shall be charged to the appropriations therefor in the Labor-Federal Security Appropriation Act, 1948.

## FEDERAL WORKS AGENCY

## BUREAU OF COMMUNITY FACILITIES

Post, p. 598. Veterans' educational facilities: For an additional amount for the completion of construction and installation of veterans' educational facilities, fiscal year 1947, \$3,000,000, to be available until expended, but not to be available for new projects after September 30, 1947, of which amount not to exceed \$100,000 shall be available for administrative expenses: *Provided*, That no part of this appropriation shall be used for the relocation of any building at a cost greater than \$3 per square foot.

Relocation of build-  
ings.  
Cost limitation.

## INTERSTATE COMMERCE COMMISSION

60 Stat. 71. Penalty mail costs: For an additional amount, fiscal year 1947, for "Penalty mail costs", \$2,500, to be derived by transfer from the appropriation "General expenses".

## OFFICE OF SELECTIVE SERVICE RECORDS

Ante, p. 31. Salaries and expenses: For expenses necessary, fiscal year 1947, for the operation and maintenance of the Office of Selective Service Records as authorized by the Act of March 31, 1947 (Public Law 26), including personal services in the District of Columbia; contract stenographic reporting services; purchase of one passenger motor vehicle at a cost not exceeding \$2,000; \$5,103,000, with which amount the funds made available to said office by said Act shall be merged, of which total amount not to exceed \$44,000 shall be available for printing and binding, and not to exceed \$19,100 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944.

58 Stat. 394.  
39 U. S. C. §§ 321c-321h.

## SECURITIES AND EXCHANGE COMMISSION

58 Stat. 875. The amount specified in the First Supplemental Appropriation Act, 1945, for deposit in the Treasury by the Securities and Exchange Commission for cost of penalty mail is hereby increased from "\$13,875" to "\$16,100".

57 Stat. 189. Printing and binding: For an additional amount, fiscal year 1944, for printing and binding, \$2,065.51.

## THE TAX COURT OF THE UNITED STATES

Salaries and expenses: For an additional amount, fiscal year 1947, for "Salaries and expenses, The Tax Court of the United States", \$4,500.

60 Stat. 75.

## NATIONAL ARCHIVES

Salaries and expenses: For an additional amount for "Salaries and expenses, National Archives," fiscal year 1947, \$29,800.

60 Stat. 72.

## DEPARTMENT OF AGRICULTURE

## COMMODITY CREDIT CORPORATION

On the date of enactment of this Act the Secretary of the Treasury is hereby authorized and directed to discharge \$641,832,080.64 of the indebtedness of the Commodity Credit Corporation to the Secretary of the Treasury by canceling notes in such amount issued by the Corporation to the Secretary of the Treasury pursuant to section 4 of the Act of March 8, 1938, as amended (15 U. S. C. 713a-4).

52 Stat. 108.

## FARM LABOR SUPPLY PROGRAM

Post, p. 695.

Supply and distribution of farm labor: The funds provided by the Farm Labor Supply Appropriation Act, 1944, as amended and supplemented, are hereby continued available through January 30, 1948, for carrying out the purposes of said Act, as amended, and the Act of April 28, 1947 (Public Law 40, Eightieth Congress), an Act providing for a six months' extension and final liquidation of the farm labor supply program; and, in addition to the amount continued available, there is hereby appropriated for such purposes the sum of \$5,000,000 to be merged with the funds hereby continued available. Not less than \$2,000,000 of such additional funds shall be apportioned among the several States in the manner and for the purposes specified in section 2 of the Farm Labor Supply Appropriation Act, 1944. In addition to the amounts heretofore made available for administrative expenses pursuant to section 3 of such Act, there is hereby made available out of said funds the sum of \$250,000 for such purposes: *Provided*, That not to exceed \$258,500 of the total funds remaining as of January 30, 1948, shall be available until June 30, 1948, for administrative and other expenses, including personal services in the District of Columbia, incident to the settlement of growers' and workers' contracts and accounts, the collection of reimbursements due the Government, the payment of transportation and other obligations outstanding, and the handling of other necessary fiscal and administrative work in the final liquidation and disposition of Government assets and liabilities under the program: *Provided further*, That not to exceed \$500,000 of the receipts derived from sales of labor supply centers, labor homes, labor camps, and facilities under the provisions of section 2 (d) of the Act of August 14, 1946 (Public Law 731), as amended, shall be available for the payment of costs of the liquidation of such labor supply centers, labor homes, labor camps, and facilities, including personal services in the District of Columbia, and any appropriations or other funds from which such costs have been advanced may be reimbursed therefor from any such receipts, the net proceeds of such sales to be deposited in the Treasury of the United States.

58 Stat. 11.  
50 U. S. C. app.  
§§ 1351-1355.  
Post, p. 202.

Ante, p. 55.

58 Stat. 12.  
50 U. S. C. app.  
§ 1352.  
58 Stat. 12.  
50 U. S. C. app.  
§ 1353.

60 Stat. 1064.  
7 U. S. C. § 1001 note.  
Post, p. 695.

## FEDERAL FARM MORTGAGE CORPORATION

60 Stat. 593. Federal Farm Mortgage Corporation: For an additional amount, fiscal year 1947, for administrative expenses, \$300,000, payable from the funds of the Corporation.

## DEPARTMENT OF COMMERCE

## OFFICE OF ADMINISTRATOR OF CIVIL AERONAUTICS

60 Stat. 467. Maintenance and operation of air navigation facilities: For an additional amount, fiscal year 1947, for "Maintenance and operation of air navigation facilities", \$20,000.

60 Stat. 468. Maintenance and operation, Washington National Airport: For an additional amount, fiscal year 1947, for "Maintenance and operation, Washington National Airport," \$40,000, to be used for the dredging of the Washington National Airport channel.

## CIVIL AERONAUTICS BOARD

60 Stat. 469. Civil Aeronautics Board, salaries and expenses: The limitation on the amount for cost of penalty mail, fiscal year 1947, is hereby increased from "\$4,500" to "\$6,000."

## COAST AND GEODETIC SURVEY

60 Stat. 469. Salaries and expenses, departmental: For an additional amount, fiscal year 1947, for "Salaries and expenses, departmental," \$140,000, and the limitation upon the amount which may be expended for personal services is hereby increased from "\$2,700,000" to "\$2,840,000".

60 Stat. 470. Pay, commissioned officers: For an additional amount, fiscal year 1947, for "Pay, commissioned officers", \$150,000.

## DEPARTMENT OF THE INTERIOR

## BUREAU OF LAND MANAGEMENT

60 Stat. 1100. Revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands, Oregon: For an additional amount, fiscal year 1947, for "Revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands, Oregon", \$18,000.

60 Stat. 353.

## BUREAU OF INDIAN AFFAIRS

Education of Indians: For an additional amount, fiscal year 1947, for "Education of Indians", \$250,000.

Conservation of health: For an additional amount, fiscal year 1947, for "Conservation of health", \$500,000.

60 Stat. 1310. Payment to Milton A. Johnson: For deposit by the Secretary of the Treasury to the official trust fund checking account of the special disbursing agent, Yakima Indian Agency, Toppenish, Washington, and for deposit to certain other accounts pursuant to the Act of August 7, 1946 (Private Law 863), \$2,119.34.

## MISCELLANEOUS INDIAN TRIBAL FUNDS

60 Stat. 361. Relief of needy Indians (tribal funds): For an additional amount, fiscal year 1947, for "Relief of needy Indians (tribal funds)", \$50,000, payable from funds on deposit to the credit of the particular tribe interested: *Provided*, That surplus potatoes purchased by the Commodity Credit Corporation of the Department of Agriculture may be made available to the Bureau of Indian Affairs for seed and for the relief of needy Indians and that any funds appropriated for the welfare

Availability of surplus potatoes.

or relief of needy Indians shall be available for the transportation of potatoes so supplied.

Support of Indian schools (tribal funds) : For an additional amount, fiscal year 1947, for "Support of Indian schools (tribal funds)", \$200,000. 60 Stat. 362.

#### GEOLOGICAL SURVEY

Gaging streams: For an additional amount, fiscal year 1947, for "Gaging streams," \$90,000, and the amount that shall be available only for cooperation with States or municipalities is hereby increased from "\$1,620,000" to "\$1,710,000." 60 Stat. 370.

### DEPARTMENT OF JUSTICE

#### LEGAL ACTIVITIES AND GENERAL ADMINISTRATION

Traveling expenses: For an additional amount, fiscal year 1942, for "Traveling expenses", \$194.81. 55 Stat. 290.  
*Post*, p. 186.

Salaries and expenses, Lands Division: For an additional amount, fiscal year 1942, for "Salaries and expenses, Lands Division", \$1,539.04. 55 Stat. 294.  
*Post*, p. 186.

Salaries and expenses, Antitrust Division: For an additional amount, fiscal year 1947, for "Salaries and expenses, Antitrust Division", \$30,000. 60 Stat. 459.

Salaries and expenses of district attorneys and so forth: For an additional amount, fiscal year 1947, for "Salaries and expenses of district attorneys and so forth", \$50,000. 60 Stat. 460.

#### FEDERAL PRISON SYSTEM

Medical and hospital service: For an additional amount, fiscal year 1947, for "Medical and hospital service", \$21,000. 60 Stat. 463.

### POST OFFICE DEPARTMENT

(Out of the Postal Revenues)

#### FIELD SERVICE, POST OFFICE DEPARTMENT

##### OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL

Rural Delivery Service: For an additional amount for Rural Delivery Service, fiscal year 1946, \$75,000. 59 Stat. 70.

For additional amounts for appropriations of the Post Office Department for the fiscal year 1947, as follows:

#### POST OFFICE DEPARTMENT, WASHINGTON, DISTRICT OF COLUMBIA

##### SALARIES IN BUREAUS AND OFFICES 60 Stat. 580.

Salaries, Office of Budget and Administrative Planning, \$3,000, to be derived by transfer from "Salaries, Bureau of Accounts, 1947".

Salaries, Office of the First Assistant Postmaster General, \$23,900.

#### FIELD SERVICE, POST OFFICE DEPARTMENT

##### OFFICE OF THE POSTMASTER GENERAL 60 Stat. 580.

Personal or property damage claims, \$85,000.

Adjusted losses and contingencies, \$25,500.

60 Stat. 581.

## OFFICE OF CHIEF INSPECTOR

Clerks, \$16,000.

60 Stat. 581.  
*Ante*, p. 69.

## OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL

Clerks, first- and second-class post offices: For an additional amount, fiscal year 1947, for "Clerks, first- and second-class post offices", \$7,100,000, and, in addition, \$2,900,000 to be derived by transfer in the following respective amounts from the appropriations "Salaries, Office of the Third Assistant Postmaster General", \$16,000; "Salaries, Office of the Fourth Assistant Postmaster General", \$10,000; "Salaries, Office of the Chief Inspector", \$12,000; "Salaries, Bureau of Accounts", \$32,000; "Salaries of inspectors", \$75,000; "Post-office inspectors, travel and miscellaneous expenses", \$5,000; "Contract station service", \$200,000; "Clerks, third-class post offices", \$200,000; "Miscellaneous items, first- and second-class post offices", \$50,000; "Special-delivery compensation and fees", \$300,000; and "Rural Delivery Service", \$2,000,000.

Miscellaneous items, first- and second-class post offices, \$500,000.

City delivery carriers, \$28,800,000.

60 Stat. 582.

## OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

Star route service, \$721,000, and, in addition, \$152,000 to be derived by transfer from "Domestic Air Mail Service".

*Post*, p. 700.

Star route and air mail service, Alaska, \$75,000.

Railroad transportation and mail messenger service, \$10,000,000, and, in addition, \$2,500,000 to be derived by transfer from "Domestic Air Mail Service".

Railway mail service, \$4,554,800, and, in addition, \$3,090,000 to be derived by transfer from "Domestic Air Mail Service".

60 Stat. 583.  
*Ante*, p. 69; *post*, p. 700.

Foreign mail transportation, \$11,691,000, and, in addition, \$3,273,000 to be derived by transfer from "Domestic Air Mail Service".

Railway postal clerks, travel allowance, \$403,000.

Railway Mail Service, travel expenses: For an additional amount, fiscal year 1947, for "Railway Mail Service, travel expenses", \$13,000, to be derived by transfer from "Domestic Air Mail Service".

Indemnities, international mail, \$3,000.

Domestic Air Mail Service: The limitation on the amount available for supervisory officials and clerks at field headquarters is hereby increased from "\$106,000" to "\$124,000".

60 Stat. 583.

## OFFICE OF THE THIRD ASSISTANT POSTMASTER GENERAL

Indemnities, domestic mail, \$800,000.

Unpaid money orders more than one year old, \$441,000.

60 Stat. 583.

## OFFICE OF THE FOURTH ASSISTANT POSTMASTER GENERAL

Rent, light, power, fuel and water, \$160,000.

Pneumatic-tube service, New York City and Boston, \$31,000.

Vehicle service, \$3,506,700, and, in addition, \$30,000 to be derived by transfer from "Transportation of equipment and supplies".

60 Stat. 585.

## PUBLIC BUILDINGS, MAINTENANCE AND OPERATION

Operating supplies, public buildings, \$151,200.

PROVISION RELATING TO EXISTING APPROPRIATION FOR THE POST OFFICE  
DEPARTMENT

## OFFICE OF THE CHIEF INSPECTOR

60 Stat. 581.

Payment of rewards: The appropriation "Payment of rewards" for the fiscal year 1947 is hereby made available for prior fiscal years.

## DEPARTMENT OF STATE

## FOREIGN SERVICE

Salaries and expenses, Foreign Service: For necessary expenses of the Foreign Service, fiscal year 1947, \$2,900,000 for transfer to and consolidation with other appropriations established to carry out the provisions of the Foreign Service Act of 1946 (Public Law 724) in such amounts as the Secretary of State may deem necessary.

60 Stat. 448.

60 Stat. 999.  
22 U. S. C. § 801  
*et seq.*

## INTERNATIONAL OBLIGATIONS

60 Stat. 453.

United States contributions to international commissions, congresses, and bureaus: For an additional amount, fiscal year 1947, for "United States contributions to international commissions, congresses, and bureaus," as follows: International Bureau for the Publication of Customs Tariffs, \$13,395; International Union of Chemistry, \$675; International Technical Committee of Aerial Legal Experts, \$2,513; in all \$16,583.

United States participation in United Nations: For an additional amount, fiscal year 1947, for "United States participation in United Nations," \$4,195,347, of which amount, \$1,824,500 shall be available for advance to the United Nations working capital fund, and the balance of \$2,370,847 shall be available for contribution to the 1946 budget of the United Nations.

## TREASURY DEPARTMENT

## FISCAL SERVICE

## OFFICE OF THE TREASURER OF THE UNITED STATES

Salaries (reimbursable): For an additional amount, fiscal year 1947, for "Salaries, Office of Treasurer of United States (Federal Reserve notes, reimbursable)," \$70,000.

60 Stat. 572.

## COAST GUARD

Pay and allowances: For an additional amount, fiscal year 1947, for "Pay and allowances," Coast Guard, \$3,790,000, and \$1,060,000 to be derived by transfer from "General expenses, 1947."

60 Stat. 530.

## BUREAU OF CUSTOMS

Printing and binding: For an additional amount, fiscal year 1946, for "Printing and binding," Bureau of Customs, \$37,000.

59 Stat. 61.

## BUREAU OF THE MINT

Medals for Generals Pershing and Mitchell: For carrying out the provisions of Private Laws 831 and 884, approved August 7, 1946, and August 8, 1946, respectively, fiscal years 1947 and 1948, \$4,900.

60 Stat. 1297, 1319.

## WAR DEPARTMENT

## CIVIL FUNCTIONS

## THE PANAMA CANAL

Sanitation, Canal Zone, Panama Canal: For an additional amount, fiscal year 1947, for "Sanitation, Canal Zone, Panama Canal", \$450,000, to remain available until expended.

## TITLE II—INCREASED PAY COSTS

For additional amounts for appropriations for the fiscal year 1947, to meet increased pay costs authorized by the Acts of March 6, 1946 (Public Law 317); May 21, 1946 (Public Law 386); May 24, 1946 (Public Law 390); July 5, 1946 (Public Law 491); July 31, 1946 (Public Laws 567, 568, and 577); and August 1, 1946 (Public Law 582); and other legislation enacted during or applicable to said fiscal year authorizing increases in pay of Government officers and employees, as follows:

## LEGISLATIVE BRANCH

## Library of Congress:

"Salaries, Library, proper", \$245,900, and \$36,100 to be derived by transfer from the appropriation "printing catalog cards, 1947."

Copyright Office: "Salaries", \$65,000.

Legislative Reference Service: "Salaries", \$50,000.

Distribution of printed cards: "Salaries and expenses", \$29,700.

Index to State legislation: "Salaries and expenses", \$8,500.

Union catalogs: "Salaries and expenses", \$11,800.

Library building: "Salaries", \$57,700.

60 Stat. 35, 203, 216,  
480, 716, 717, 749, 752.  
39 U. S. C. §§ 856a,  
862a, 862b, 867a, 877,  
878; 5 U. S. C. §§ 645a,  
645b, 672b-673, 902 *et*  
*seq.*; 28 U. S. C. §§ 5,  
213, 241, 296, 301, 324,  
597-597c.  
*Ante*, p. 40; *post*, p.  
727.  
60 Stat. 402.

*Ante*, p. 27.

## EXECUTIVE OFFICE OF THE PRESIDENT

Office of Government Reports, \$49,500.

## INDEPENDENT OFFICES

Civil Service Commission: "Salaries and expenses", \$1,000,000.

Federal Communications Commission: "Salaries and expenses", \$651,900.

Federal Power Commission:

"Salaries and expenses", \$330,000;

"Flood control surveys", \$24,000.

National Archives: "Salaries and expenses", \$148,600.

National Labor Relations Board: "Salaries", \$384,000 and \$20,000 to be derived by transfer from "Miscellaneous expenses, 1947" and \$8,000 to be derived by transfer from "Penalty mail, 1947."

Tariff Commission: "Salaries and expenses", \$124,000.

United States Maritime Commission:

"Construction fund" (increase of \$1,800,000 in the limitation upon the amount of this fund which may be used for personal services);

"Maritime Training" (increase of \$40,000 in the limitation upon the amount of this fund which may be used for administrative expenses).

60 Stat. 62.

60 Stat. 64.

60 Stat. 64.

60 Stat. 72.

60 Stat. 698.

60 Stat. 74.

60 Stat. 499.

60 Stat. 500.

## FEDERAL LOAN AGENCY

Reconstruction Finance Corporation: "Administrative expenses" (increase of \$3,570,000 in the limitation upon the amount of the corporate funds which may be used for administrative expenses). 60 Stat. 588.

## FEDERAL WORKS AGENCY

Office of the Administrator: "Salaries and expenses", \$33,800, to be derived by transfer from "Public Works Administration liquidation, 1947". 60 Stat. 65.

Bureau of Community Facilities:

"War public works (community facilities) liquidation" (increase of \$100,000 in authorization to expend unobligated balances). 60 Stat. 264.

## NATIONAL HOUSING AGENCY

Federal Home Loan Bank Administration: "Salaries and expenses" (increase of \$140,000 in the limitation upon the amount of the corporate or other funds which may be used for administrative expenses). 60 Stat. 589.

Federal Savings and Loan Insurance Corporation: "Administrative expenses" (increase of \$18,000 in the limitation upon the amount of the corporate funds which may be used for administrative expenses).

Federal Public Housing Authority: "Salaries and expenses" (increase of \$1,900,000 in the limitation upon the amount of the corporate or other funds which may be used for administrative expenses).

Defense Homes Corporation: "Administrative expenses" (increase of \$8,000 in the limitation upon the amount of the corporate funds which may be used for administrative expenses).

## DEPARTMENT OF THE INTERIOR

Office of the Secretary: 60 Stat. 348.

"Salaries", \$174,000;

"War agency liquidation", \$15,000;

"Office of Solicitor", \$36,200;

"Division of Territories and Island Possessions", \$21,600;

"Oil and Gas Division", \$25,000;

"Soil and moisture conservation operations", \$97,000;

"Commission of Fine Arts", \$910; 60 Stat. 350.

Bureau of Land Management: 60 Stat. 1100.

"Salaries and expenses (Grazing Service)", \$38,900; 60 Stat. 351.

"Salaries and expenses (General Land Office)", \$134,700; 60 Stat. 352.

"Surveying public lands (General Land Office)", \$43,300;

"Salaries and expenses, branch of field examination (General Land Office)", \$34,600;

"Salaries and expenses of district land offices (General Land Office)", \$26,000; 60 Stat. 353.

"Revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands, Oregon (reimbursable) (General Land Office)", \$27,800;

"Range improvements on public lands outside of grazing districts (receipt limitation) (General Land Office)", \$2,000;

Protection and management of the timber resources of the public domain (General Land Office)", \$22,100; 60 Stat. 353.

Bureau of Indian Affairs:

"Salaries and expenses", \$132,700;

"Salaries and expenses, district offices", \$35,000;

"Salaries and expenses, reservation administration", \$411,700;

"Alaska native service", \$200,000;

"Education of Indians", \$889,700; Post, p. 621.



60 Stat. 354.

"Conservation of health", \$610,000;

"Welfare of Indians", \$9,800;

"Management, Indian forest and range resources", \$89,400;

"Agriculture and stock raising", \$69,200;

"Development of Indian arts and crafts", \$2,700;

"Irrigation and drainage", \$18,700;

"Administration of Indian tribal affairs (from tribal funds, \$9,700)";

"Support of Klamath Agency, Oregon (from tribal funds, \$8,400)";

"Support of Menominee Agency and pay of tribal officers, Wisconsin (from tribal funds, \$4,900)";

"Support of Osage Agency and pay of tribal officers, Oklahoma (from tribal funds, \$23,600)";

60 Stat. 363.

Bureau of Reclamation:

Reclamation fund, special fund:

"Salaries and expenses (other than project offices)", \$360,000;

"Parker Dam power project, Arizona-California (from power revenues, \$21,000)";

"Yuma project, Arizona-California", \$10,200;

"Central Valley project, California (from power revenues, \$49,300)";

"Colorado-Big Thompson project, Colorado (from power revenues, \$9,400)";

"Boise project, Idaho", \$10,000;

"Minidoka project, Idaho (from power revenues, \$7,400)";

"Minidoka project, Idaho", \$2,000;

"North Platte project, Nebraska-Wyoming (from power revenues, \$5,000)";

"Rio Grande project, New Mexico-Texas (from power revenues, \$5,300)";

"Owyhee project, Oregon", \$9,500;

"Klamath project, Oregon-California", \$9,500;

"Columbia Basin project, Washington (from power revenues, \$41,200)";

"Yakima project, Washington", \$21,500;

"Kendrick project, Wyoming (from power revenues, \$8,200)";

"Riverton project, Wyoming", \$6,000;

60 Stat. 369.

Colorado River Dam fund: "Boulder Canyon project", \$62,800;

"Geological Survey", \$62,900;

Bureau of Mines:

60 Stat. 373.

There are hereby transferred from "Mineral Mining Investigations, Bureau of Mines 1947", sums as follows:

To:

"Salaries and expenses", \$12,600;

"Coal-mine inspections and investigations", \$11,900;

"Building and grounds, Pittsburgh, Pennsylvania", \$15,000;

"Economics of mineral industries", \$23,000;

60 Stat. 376, 377.

"National Park Service", \$666,600;

"Salaries and expenses, National Capital parks", \$65,900;

60 Stat. 378.

Fish and Wildlife Service: "Salaries and expenses", \$579,100;

Government in the Territories:

60 Stat. 382.

Territory of Alaska: "Expenses of the offices of the Governor and the Secretary", \$2,800;

60 Stat. 384.

Territory of Hawaii: "Expenses of the offices of the Governor and the Secretary", \$1,500;

## Government of the Virgin Islands:

60 Stat. 384.

"Salaries of the Governor and employees", \$27,800;

"Salaries and expenses of the agricultural station", \$5,500.

## DEPARTMENT OF JUSTICE

## Legal activities and general administration:

60 Stat. 458.

"Office of the Attorney General", \$86,000;

"Administrative Division", \$78,000, and \$50,000 to be derived by transfer from "Cost of handling penalty mail, Department of Justice, 1947", and \$40,000 to be derived by transfer from "Fees of witnesses, 1947";

"Tax Division", \$83,000;

"Criminal Division", \$95,000;

"Claims Division", \$174,000;

"Salaries and expenses, Customs Division", \$21,800;

"Salaries and expenses, Antitrust Division", \$159,000;

"Examination of judicial offices", \$9,000;

"Miscellaneous salaries and expenses, field", \$19,500;

"Salaries and expenses of district attorneys, and so forth", \$596,700;

"Compensation of special attorneys, and so forth", \$13,800;

"Salaries and expenses of marshals, and so forth", \$450,800;

"Pay and expenses of bailiffs", \$15,000;

## Federal Bureau of Investigation:

60 Stat. 461.

"Salaries and expenses, detection and prosecution of crimes", \$1,032,000;

"Salaries and expenses, detection and prosecution of crimes (emergency)", \$2,168,000;

Immigration and Naturalization Service: "Salaries and expenses, Immigration and Naturalization Service", \$2,887,000;

60 Stat. 462.

## Federal Prison System:

60 Stat. 463.

"Salaries and expenses, Bureau of Prisons", \$26,500, and \$18,500 to be derived by transfer from "Support of United States Prisoners, 1947";

"Salaries and expenses, penal and correctional institutions", \$1,389,000;

"Medical and hospital service", \$116,000;

Office of Alien Property: "Administrative expenses" (increase of \$393,000 in the limitation upon the amount of Alien Property funds which may be used for administrative expenses).

60 Stat. 604.

## DEPARTMENT OF STATE

## Office of the Secretary of State:

60 Stat. 446.

"Salaries", \$2,980,000 and sums to be derived by transfers from

"United States participation in United Nations, 1947", \$250,000;

"Cost of handling penalty mail, Department of State, 1947", \$20,000; and "United States contributions to international commissions, congresses, and bureaus, 1947", \$10,000;

"Passport agencies", \$9,500;

## International obligations:

60 Stat. 456.

"International Boundary Commission, United States and Canada and Alaska and Canada", \$4,500;

"Salaries and expenses, International Joint Commission, United States and Canada", \$4,300;

Institute of Inter-American Affairs: "Administrative expenses" (increase of \$74,400 in the limitation upon the amount of the corporate funds which may be used for administrative expenses);

60 Stat. 594.

60 Stat. 594.

Inter-American Educational Foundation, Inc.: "Administrative expenses" (increase of \$15,000 in the limitation upon the amount of the corporate funds which may be used for administrative expenses).

#### WAR DEPARTMENT

60 Stat. 160.

#### Civil functions of the War Department:

Quartermaster Corps: "Cemeterial expenses", \$48,000;  
Signal Corps: "Alaska Communication System", \$53,000;  
The Panama Canal:  
"Civil government", \$357,000.

SEC. 201. The restrictions contained within appropriations or affecting appropriations or other funds, available during the fiscal year 1947, limiting the amounts which may be expended for personal services or for other purposes involving personal services, or amounts which may be transferred between appropriations or authorizations, are hereby waived to the extent necessary to meet increased pay costs authorized by the Acts of March 6, 1946 (Public Law 317), May 21, 1946 (Public Law 386), May 24, 1946 (Public Law 390), July 5, 1946 (Public Law 491), July 31, 1946 (Public Laws 567, 568, and 577), and August 1, 1946 (Public Law 582), and other legislation enacted during or applicable to the fiscal year 1947 authorizing increased pay for civilian employees of the Government.

60 Stat. 35, 203, 216,  
480, 716, 717, 749, 752.  
39 U. S. C. §§ 856a,  
862a, 862b, 867a, 877,  
878; 5 U. S. C. §§ 645a,  
645b, 672b-673, 902 *et*  
*seq.*; 28 U. S. C. §§ 5,  
213, 241, 296, 301, 324,  
597-597c.  
*Ante*, p. 40; *post*, p.  
727.  
60 Stat. 587.

#### TITLE III—REDUCTIONS IN APPROPRIATION

The amount made available to the Federal Public Housing Authority for "Annual contributions, fiscal year, 1947", is hereby reduced in the amount of \$2,500,000, such amount to be carried to the surplus fund and covered into the Treasury immediately upon the approval of this Act.

#### TITLE IV—GENERAL PROVISIONS

Restriction on funds  
for personal services.

SEC. 400. No appropriation or fund made available by this or any other appropriation Act to the executive departments and establishments, including corporations, for personal services shall be available to pay any increased cost resulting from the allocation or reallocation hereafter of a position to a higher grade, or resulting from the creation of a new position, if such increased cost would result in an increase in the total obligations on an annual basis under such appropriation or fund: *Provided*, That this prohibition shall not apply to the initial creation of positions to carry out new programs or functions for which specific appropriations are made available.

Exception.

Persons engaging,  
etc., in strikes against  
or advocating over-  
throw of U. S. Gov-  
ernment.

SEC. 401. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the

Affidavit.

overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Penalty.

SEC. 402. This Act may be cited as the "Second Deficiency Appropriation Act, 1947".

Short title.

Approved May 26, 1947.

## [CHAPTER 83]

## AN ACT

To amend section 35 of the Mineral Leasing Act of February 25, 1920 (41 Stat. 437; 30 U. S. C., sec. 191), as amended.

May 27, 1947  
[H. R. 193]

[Public Law 77]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 35 of the Act entitled "An Act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain", approved February 25, 1920 (41 Stat. 437; 30 U. S. C., sec. 191), as amended, is amended and reenacted to read as follows:

Mineral Leasing  
Act, amendment.

41 Stat. 450.

"SEC. 35. All money received from sales, bonuses, royalties, and rentals of public lands under the provisions of this Act shall be paid into the Treasury of the United States; 37½ per centum thereof shall be paid by the Secretary of the Treasury after the expiration of each fiscal year to the State or the Territory of Alaska within the boundaries of which the leased lands or deposits are or were located; said moneys to be used by such State, Territory, or subdivisions thereof for the construction and maintenance of public roads or for the support of public schools or other public educational institutions, as the legislature of the State or Territory may direct; and, excepting those from Alaska, 52½ per centum thereof shall be paid into, reserved and appropriated, as a part of the reclamation fund created by the Act of Congress known as the Reclamation Act, approved June 17, 1902: *Provided*, That all moneys which may accrue to the United States under the provisions of this Act from lands within the naval petroleum reserves shall be deposited in the Treasury as "miscellaneous receipts", as provided by the Act of June 4, 1920 (41 Stat. 813), as amended June 30, 1938 (52 Stat. 1252, 34 U. S. C., sec. 524). All moneys received under the provisions of this Act not otherwise disposed of by this section shall be credited to miscellaneous receipts. Nothing herein contained shall be construed to affect the disposition of proceeds or income derived by the United States from mineral school sections in the Territory of Alaska as provided for in the Act of March 4, 1915 (38 Stat. 1214, 1215; 48 U. S. C., sec. 353), as amended."

Money received  
from sales, etc., of  
public lands.

32 Stat. 388.  
43 U. S. C. § 331.  
Deposit of funds  
from naval petroleum  
reserves.

Income from min-  
eral school sections.  
Alaska.

Approved May 27, 1947.

## [CHAPTER 84]

## AN ACT

May 27, 1947  
[H. R. 1584]  
[Public Law 78]

Authorizing the erection and operation of a memorial museum and shop on the Fort Hall Reservation, Idaho.

Appropriation au-  
thorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated, from any moneys in the Treasury not otherwise appropriated, the sum of \$150,000, for the purpose of erecting a memorial museum, in commemoration of old Fort Hall, and a shop for the sale of Indian handicrafts, on land set aside for that purpose by the business council of the Shoshone-Bannock Tribes of the Fort Hall Reservation. The museum and shop shall be operated by the said tribes under supervision, management, and control of the Bureau of Indian Affairs.

Approved May 27, 1947.

## [CHAPTER 85]

## AN ACT

May 27, 1947  
[H. R. 2123]  
[Public Law 79]

To amend the Locomotive Inspection Act of February 17, 1911, as amended.

36 Stat. 914.  
Compensation of  
director of locomotive  
inspection, etc.  
42 Stat. 1488.  
5 U. S. C. § 661 et  
seq.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the third and fourth sentences of section 3 of the Act entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto", approved February 17, 1911, as amended (U. S. C., 1940 edition, title 45, secs. 24 and 25), are amended to read as follows: "The Interstate Commerce Commission shall have authority, in accordance with the Classification Act of 1923, as amended, to fix the compensation of the director of locomotive inspection, the assistant directors, and the district inspectors; and each of such persons shall be paid his traveling expenses incurred in performance of his duties. The office of the director of locomotive inspection shall be in Washington, District of Columbia, and the Interstate Commerce Commission shall provide such legal, technical, stenographic, and clerical help as the business of the offices of the director of locomotive inspection, his said assistants, and the district inspectors may require."

36 Stat. 914.

SEC. 2. Section 4 of such Act approved February 17, 1911, as amended (U. S. C., 1940 edition, title 45, sec. 26), is further amended by striking out the fifth and sixth sentences thereof.

36 Stat. 913.  
45 U. S. C. §§ 22-  
29, 31-34.

SEC. 3. Nothing in this Act shall have the effect of abolishing the position or reducing the present salary of an incumbent of any existing position established under such Act approved February 17, 1911, as amended.

Effective date.

SEC. 4. This Act shall take effect on the ninetieth day after the date of its enactment.

Approved May 27, 1947.

## [CHAPTER 86]

## AN ACT

May 29, 1947  
[H. R. 3029]  
[Public Law 80]

To provide for the acquisition of a site and for preparation of plans and specifications for a courthouse to accommodate the United States Court of Appeals for the District of Columbia and the District Court of the United States for the District of Columbia.

U. S. Court of Ap-  
peals and District  
Court, D. C.  
Plans for building.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Architect of the Capitol is hereby authorized and directed to prepare drawings and specifications, and do all work incidental thereto, for a building (including equipment, approaches, architectural landscape treatment

of the grounds and connections with public utilities, and the Federal heating system) for the use of the United States Court of Appeals for the District of Columbia and the District Court of the United States for the District of Columbia, to be located on that part of reservation 10 which is bounded by Constitution Avenue on the south, C Street on the north, John Marshall Place on the west, and Third Street on the east, containing two hundred and forty-five thousand two hundred and sixty-six square feet, title to which is in the District of Columbia with the exception of two pieces of land having a combined total area of one thousand two hundred and thirty-eight square feet, title to which said two pieces of land is in the United States.

SEC. 2. (a) The plans for the building shall be prepared under the direction of, and shall be approved by, a committee of six members to be composed of the chief justice of the United States Court of Appeals for the District of Columbia, the chief justice of the District Court of the United States for the District of Columbia, an associate justice of the District Court of the United States for the District of Columbia to be designated by the chief justice of the United States Court of Appeals for the District of Columbia, a member of the Board of Commissioners of the District of Columbia to be designated by said Board, the Commissioner of Public Buildings, and the Architect of the Capitol.

(b) The said committee shall estimate the cost of such building and report its findings to the Congress.

SEC. 3. The exact location of the building on the site shall be approved by the National Capital Park and Planning Commission, and the design shall be approved by the Commission of Fine Arts.

SEC. 4. The Commissioners of the District of Columbia are hereby authorized and directed to convey to the United States title to that part of reservation 10 which is owned by the District of Columbia within the area described in section 1 of this Act, excepting a strip five feet wide immediately adjacent to the south line of C Street and running parallel with said south line of C Street from Third Street to John Marshall Place, said strip to be reserved for the widening of C Street: *Provided*, That the said Commissioners are hereby authorized to continue to lease such land for parking purposes and to receive and use for expenses of the District of Columbia any income derived therefrom, until such time as the use of the land is required by the Federal Government for the new court building. The compensation for the site, which is herein fixed at \$2,420,000, shall constitute a credit to the District of Columbia for its share of the cost of the entire project as hereafter established by the Congress.

SEC. 5. The Architect of the Capitol is hereby authorized to employ the necessary personal and other services, to enter into the necessary contracts, and to make such other expenditures as may be necessary to carry out the provisions of sections 1 and 2 of this Act, and there is hereby authorized to be appropriated a sum not in excess of \$400,000 for such purposes, which shall include all architectural fees.

Approved May 29, 1947.

## [CHAPTER 87]

### AN ACT

To amend the Nationality Act of 1940 so as to permit naturalization proceedings to be had at places other than in the office of the clerk or in open court in the case of sick or physically disabled individuals.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That so much of section 331 of the Nationality Act of 1940, as amended (54 Stat. 1153; U. S. C., 1940 edition, title 8, sec. 731), as precedes paragraph (1)

Committee.

Estimate and report of cost.

Approval of location and design.

Conveyance of title.

Lease of land for parking purposes.

Compensation for site.

Expenditures by Architect of Capitol.

Appropriation authorized.  
*Post*, p. 612.

May 31, 1947

[H. R. 236]

[Public Law 81]

Nationality Act of 1940, amendment.  
Proceedings in the case of disabled persons.

Declaration of intention.

thereof (excluding the heading) is amended to read as follows:

"SEC. 331. An applicant for naturalization shall make, under oath before, and unless prevented by sickness or other physical disability only in the office of, the clerk of court or such clerk's authorized deputy, regardless of the place of residence in the United States of the applicant, not less than two nor more than seven years at least prior to the applicant's petition for naturalization, and after the applicant has reached the age of eighteen years, a signed declaration of intention to become a citizen of the United States, which declaration shall be set forth in writing, in triplicate, and shall contain substantially the following averments by such applicant:—"

Petition for naturalization.

SEC. 2. Section 332 of the Nationality Act of 1940, as amended (54 Stat. 1154; U. S. C., 1940 edition, title 8, sec. 732), is amended by adding at the end thereof the following new subsection:

"(e) If the applicant for naturalization is prevented by sickness or other disability from presenting himself in the office of the clerk to make the petition required by subsection (a), such applicant may make such petition at such other place as may be designated by the clerk of court or by such clerk's authorized deputy."

Final hearings, etc.

SEC. 3. (a) Section 334 (a) of the Nationality Act of 1940, as amended (54 Stat. 1156; U. S. C., 1940 edition, title 8, sec. 734 (a)), is amended to read as follows:

"SEC. 334. (a) Except as provided in subsection (b) of this section, every final hearing upon a petition for naturalization shall be had in open court before a judge thereof, and every final order which may be made upon such petition shall be under the hand of the court and entered in full upon a record kept for that purpose, and upon such final hearing of such petition the applicant and the witnesses shall be examined under oath before the court and in the presence of the court."

(b) Section 334 (b) of such Act, as amended (54 Stat. 1156; U. S. C., 1940 edition, title 8, sec. 734 (b)), is amended by adding at the end thereof the following: "If the petitioner is prevented by sickness or other disability from being in open court for the final hearing upon a petition for naturalization, such final hearing may be had before a judge or judges of the court at such place as may be designated by the court."

Oath of renunciation and allegiance.

SEC. 4. Section 335 of such Act, as amended (54 Stat. 1157; U. S. C., title 8, sec. 735), is hereby amended by adding the following new subsection:

"(d) If the petitioner is prevented by sickness or other disability from being in open court the oath prescribed in subsection (a) of this section may be taken before a judge of the court at such place as may be designated by the court."

Determination by court of seriousness of disability.

SEC. 5. Before a declaration of intention or petition for naturalization may be made outside of the office of the clerk of court, or before a final hearing on a petition may be held or the oath of allegiance administered outside of open court, the court must satisfy itself that the illness or other disability is sufficiently serious to prevent appearance in the office of the clerk of court or the court and is of a permanent nature, or of a nature which so incapacitates the person as to prevent him from personally appearing in the office of the clerk of court or in court as otherwise required by law.

Approved May 31, 1947.

[CHAPTER 88]

AN ACT

To amend an Act of September 27, 1944, relating to credit for military or naval service in connection with certain homestead entries.

May 31, 1947  
[H. R. 603]  
[Public Law 82]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1 of the Act entitled “An Act to allow credit in connection with certain homestead entries for military or naval service rendered during World War II”, approved September 27, 1944 (58 Stat. 747), as amended June 25, 1946 (60 Stat. 308, 43 U. S. C., sec. 279), is amended to read as follows:

World War II veter-  
ans.  
Homestead entries.

“That any person who has served in the military or naval forces of the United States for a period of at least ninety days at any time on or after September 16, 1940, and prior to the termination of the present war, and is honorably discharged from the military or naval forces and who makes homestead entry subsequent to such discharge shall have the period of such service, not exceeding two years, construed to be equivalent to residence and cultivation upon the land for the same length of time. Credit shall be allowed for two years’ service to any person who has served in the military or naval forces of the United States during the above period (1) if such person is discharged on account of wounds received or disability incurred during the above period in the line of duty, or (2) if such person is regularly discharged and subsequently is furnished hospitalization or is awarded compensation by the Government on account of such wounds or disability. When the homestead entry is made by a husband or wife whose spouse is entitled to any service credit under this section, such credit shall, with the consent of the spouse entitled thereto, be available to the husband or wife making the entry, in addition to any service credit to which he or she individually may be entitled under this section. No patent shall issue to any such person who has not resided upon his homestead and otherwise complied with the provisions of the homestead laws for a period of at least one year: *Provided*, That no person who has served in the military or naval forces of the United States for a period of at least ninety days at any time on or after September 16, 1940, and prior to the termination of the present war, and is honorably discharged shall be disqualified from making homestead entry or from any other benefits of this Act merely by reason of not having reached the age of twenty-one years.”

Credit for period of  
service.

Service-incurred dis-  
ability.

Service credit of  
spouse.

Residence require-  
ment.

Age.

SEC. 2. Section 2 of such Act (43 U. S. C., sec. 280) is amended to read as follows:

58 Stat. 748.

“SEC. 2. The surviving spouse or the minor children, as hereinafter provided, shall be entitled (1) in case of the death of any person as the result of wounds received or disability incurred in line of duty while serving in the military or naval forces of the United States during the period specified in section 1, to credit for two years’ residence and cultivation on a homestead entry, or (2) in the case of the death of any person after performing service that would be a basis for credit under section 1 of this Act, to the amount of credit which would have been allowable to such person. The credit provided by this section shall be available to the surviving spouse, or, in the case of the death or marriage of the surviving spouse, to the minor children by a guardian duly appointed and officially accredited at the Department of the Interior. An entry made by such surviving spouse or guardian shall be subject to the provisions contained in section 1 respecting compliance with the provisions of the homestead laws for a period of at least one year.”

Availability of  
credit to surviving  
spouse or minor chil-  
dren.

Entry.



58 Stat. 748.

Preferred right of application.

SEC. 3. Section 4 of such Act (43 U. S. C., sec. 282) is amended to read as follows:

"SEC. 4. For the period of ten years following September 27, 1944, on the revocation of any order of withdrawal or the filing of a plat of survey or resurvey opening lands to entry, the order or notice taking such action shall provide for a period of not less than ninety days before the date on which it otherwise becomes effective, in which persons of the classes entitled to credit for service, under the provisions of this Act, shall have a preferred right of application under the homestead or desert land laws, or the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended (59 Stat. 467, 43 U. S. C., sec. 682a), subject to the requirements of applicable law, except as against the prior existing valid settlement rights and preference rights conferred by existing laws or as against equitable claims subject to allowance and confirmation, and except where a revocation of an order of withdrawal is made in order to assist in a Federal land program other than one authorized by the homestead or desert land laws or by said Small Tract Act of June 1, 1938, as amended. During the same period if the Secretary of the Interior shall, without a prior petition therefor, classify any land as being suitable for disposition under the said Small Tract Act of June 1, 1938, as amended, the order of classification shall provide a similar preference right of application under that Act, subject to the exceptions contained in this section."

Approved May 31, 1947.

## [CHAPTER 89]

## AN ACT

May 31, 1947  
[H. R. 1844]  
[Public Law 83]

To authorize the Administrator of Veterans' Affairs to grant easements in lands belonging to the United States under his supervision and control, and for other purposes.

Administrator of  
Veterans' Affairs.  
Authority to grant  
easements, etc.

Use by public utili-  
ties.

State jurisdiction  
over areas.

Reversion of title,  
etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Administrator of Veterans' Affairs, whenever he deems it advantageous to the Government and upon such terms and conditions as he deems advisable, is hereby authorized on behalf of the United States to grant to any State, or any agency or political subdivision thereof, or to any public-service company, easements in and rights-of-way over lands belonging to the United States which are under his supervision and control. Such grant may include the use of such easements or rights-of-way by public utilities to the extent authorized and under the conditions imposed by the laws of such State relating to use of public highways. Such partial, concurrent, or exclusive jurisdiction over the areas covered by such easements or rights-of-way, as the Administrator of Veterans' Affairs deems necessary or desirable, is hereby ceded to the State in which the land is located. The Administrator of Veterans' Affairs is hereby authorized to accept or secure on behalf of the United States from the State in which is situated any land conveyed in exchange for any such easement or right-of-way, such jurisdiction as he may deem necessary or desirable over the land so acquired. Any such easement or right-of-way shall be terminated upon abandonment or nonuse of the same and all right, title, and interest in the land covered thereby shall thereupon revert to the United States or its assignee.

Approved May 31, 1947.

## [CHAPTER 90]

## JOINT RESOLUTION

Providing for relief assistance to the people of countries devastated by war.

May 31, 1947  
[H. J. Res. 153]  
[Public Law 84]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated to the President not to exceed \$350,000,000 for the provision of relief assistance to the people of countries devastated by war, such relief assistance to be limited to the following: Food, medical supplies, processed and unprocessed materials for clothing, fuel, fertilizer, pesticides, and seed: *Provided*, That from the funds authorized under this section the President shall make contributions to the International Children's Emergency Fund of the United Nations for the special care and feeding of children, and such contributions shall not be subject to the limitations and requirements provided in this joint resolution, but after \$15,000,000 has been so contributed, no further contributions shall be made which would cause the aggregate amount so contributed by the United States (1) to constitute more than 57 per centum of the aggregate amount contributed to said fund by all governments not receiving assistance from said fund, including the United States; or (2) to exceed \$40,000,000, whichever is the lesser.

Appropriation authorized.  
*Post*, pp. 613, 942, 948.

Contributions to International Children's Emergency Fund of United Nations.  
*Post*, p. 613.

*Post*, p. 939.

There shall be established and maintained, out of the funds authorized under this joint resolution, a relief distribution mission for each of the countries receiving aid under this joint resolution. Such missions shall be comprised solely of American citizens who shall have been investigated as to loyalty and security by the Federal Bureau of Investigation. Such missions shall have direct supervision and control, in each country, of relief supplies furnished or otherwise made available under this joint resolution, and, when it is deemed desirable by the field administrator provided for in section 4, such missions shall be empowered to retain possession of such supplies up to the city or local community where such supplies are actually made available to the ultimate consumers.

Relief distribution missions.

Not more than \$15,000,000 of the funds authorized under this joint resolution shall be available for relief in any countries or territories other than Austria, Greece, Hungary, Italy, Poland, Trieste, and China. This provision shall not imply any obligation to give relief to any of the countries mentioned.

Restriction on availability of funds.

Notwithstanding the provisions of any other law, the Reconstruction Finance Corporation is authorized and directed, until such time as an appropriation shall be made pursuant to this section, to make advances, not to exceed in the aggregate \$75,000,000, to carry out the provisions of this joint resolution, in such manner and in such amounts as the President shall determine. From appropriations authorized under this section, there shall be repaid to the Reconstruction Finance Corporation the advances made by it under the authority contained herein.

Advances by RFC.  
*Post*, p. 938.

SEC. 2. (a) Under the direction of the President, such relief assistance shall be provided in the form of transfers of supplies, or the establishment in this country of credits subject to the control of the President, in such quantities and on such terms as the President may determine; except that no such transfers of supplies or establishment of credits may be made after June 30, 1948, and except that not more than 6 per centum of the amount herein authorized shall be used for the procurement of supplies outside the United States and its Territories and possessions.

Transfer of supplies; establishment of credits.

(b) In carrying out this joint resolution, funds authorized herein may be used to pay necessary expenses related to the providing of

Payment of expenses.

such relief assistance, including expenses of or incident to the procurement, storage, transportation, and shipment of supplies transferred under subsection (a) or of supplies purchased from credits established under subsection (a).

Allocation of funds to Government agencies, etc.

(c) Funds authorized under this joint resolution may be allocated for any of the purposes of this joint resolution to any department, agency, or independent establishment of the Government and such sums shall be available for obligation and expenditure in accordance with the laws governing obligations and expenditures of the department, agency, or independent establishment, or organizational unit thereof concerned, and without regard to sections 3709 and 3648 of the Revised Statutes, as amended (U. S. C., 1940 edition, title 41, sec. 5, and title 31, sec. 529).

Additional civilian employees required by War Department.

(d) Such additional civilian employees as may be required by the War Department in connection with the furnishing of procurement, storage, transportation, and shipment services under this joint resolution and which services are paid for from funds herein authorized, shall not be counted as civilian employees within the meaning of section 607 of the Federal Employees Pay Act of 1945, as amended by section 14 of the Federal Employees Pay Act of 1946.

59 Stat. 304; 60 Stat. 219.  
5 U. S. C. § 947.

Furnishing of supplies by Government agencies, etc.

(e) When any department, agency, or independent establishment of the Government receives request from the government of any country for which credits have been established under subsection (a) and receives, from credits so established, advancements or reimbursements for the cost and necessary expenses, it may furnish, or procure and furnish (if advancements are made), supplies within the category of relief assistance as defined in section 1 and may use sums so received for the purposes set forth in subsection (b) of this section. When any such reimbursement is made it shall be credited, at the option of the department, agency, or independent establishment concerned, either to the appropriation, fund, or account utilized in incurring the obligation, or to an appropriate appropriation, fund, or account which is current at the time of such reimbursement.

Crediting of reimbursements.

Expenses of transporting supplies donated by relief agencies, etc.

(f) In order to supplement the general relief assistance made available under the terms of section 1 and to effect the economical and expanded use of American voluntary relief contributions, funds authorized under this joint resolution, not to exceed \$5,000,000, may be used to pay necessary expenses related to the ocean transportation of supplies donated to or purchased by American voluntary and non-profit relief agencies, and in such quantities and kinds and for such purposes as the President may determine to be essential supplements to the supplies provided for such general relief assistance.

Procurement of supplies.

(g) The relief supplies provided under the terms of this joint resolution shall be procured and furnished by the appropriate United States procurement agencies unless the President shall determine otherwise.

Assurances from governments requesting assistance.

SEC. 3. No relief assistance shall be provided under the authority of this joint resolution to the people of any country unless the government of such country has given assurance satisfactory to the President that (a) the supplies transferred or otherwise made available pursuant to this joint resolution, as well as similar supplies produced locally or imported from outside sources, will be distributed among the people of such country without discrimination as to race, creed, or political belief; (b) representatives of the Government of the United States and of the press and radio of the United States will be permitted to observe freely and to report fully regarding the distribution and utilization of such supplies; (c) full and continuous publicity will be given within such country as to the purpose, source, character, scope, amounts and progress of the United States relief

program carried on therein pursuant to this joint resolution; (d) if food, medical supplies, fertilizer, or seed is transferred or otherwise made available to such country pursuant to this joint resolution, no articles of the same character will be exported or removed from such country while need therefor for relief purposes continues; (e) such country has taken or is taking, insofar as possible, the economic measures necessary to reduce its relief needs and to provide for its own future reconstruction; (f) upon request of the President, it will furnish promptly information concerning the production, use, distribution, importation, and exportation of any supplies which affect the relief needs of the people of such country; (g) representatives of the Government of the United States will be permitted to supervise the distribution among the people of such country of the supplies transferred or otherwise made available pursuant to this joint resolution; (h) provision will be made for a control system so that all classes of people within such country will receive their fair share of essential supplies; and (i) all supplies transferred pursuant to this joint resolution or acquired through the use of credits established pursuant to this joint resolution and any articles processed from such supplies, or the containers of such supplies or articles, will, to the extent practicable, be marked, stamped, branded, or labeled in a conspicuous place as legibly, indelibly, and permanently as the nature of such supplies, articles, or containers will permit in such manner as to indicate to the ultimate consumer in such country that such supplies or articles have been furnished by the United States of America for relief assistance; or if such supplies, articles, or containers are incapable of being so marked, stamped, branded, or labeled, that all practicable steps will be taken to inform the ultimate consumers thereof that such supplies or articles have been furnished by the United States of America for relief assistance.

SEC. 4. When supplies are transferred or otherwise made available to any country pursuant to this joint resolution, the President shall cause representatives of the Government of the United States (1) to supervise the distribution of such supplies among the people of such country, (2) to observe and report with respect to the carrying out of the assurances given to the President pursuant to section 3, and (3) to seek arrangements that reparations payable from current production by any such country to any other country by treaty be postponed during the period of such relief.

With respect to the furnishing of relief assistance pursuant to this joint resolution, the President shall appoint, by and with the advice and consent of the Senate, a field administrator who shall direct the supervision of such relief assistance. Such administrator shall receive compensation at a rate not to exceed \$12,000 per annum, and any necessary expenses, as the President shall determine. He shall act in accordance with the instructions of the President.

The authority of the President under sections 2 and 3 and under this section may, to the extent the President directs, be exercised by the Secretary of State.

SEC. 5. (a) The President shall promptly terminate the provision of relief assistance to the people of any country whenever he determines (1) that, by reason of changed conditions, the provision of relief assistance of the character authorized by this joint resolution is no longer necessary, (2) that any of the assurances given pursuant to section 3 are not being carried out, (3) that an excessive amount of any supplies transferred or otherwise made available pursuant to this joint resolution, or of similar supplies produced locally or imported from outside sources, is being used to assist in the maintenance of armed forces in such country, or (4) that supplies trans-

Supervision of distribution by U. S. representatives, etc.

Field administrator.  
*Post*, p. 937.

Compensation.

Exercise of authority by Secretary of State.

Termination by President.

Termination by Congress.

Supplies not furnished on terms of repayment in dollars; condition.

Reports to Congress.

ferred or otherwise made available pursuant to this joint resolution, or similar supplies produced locally or imported from outside sources, are being exported or removed from such country.

(b) Relief assistance to the people of any country, under this joint resolution, shall, unless sooner terminated by the President, be terminated whenever such termination is directed by concurrent resolution of the two Houses of the Congress.

SEC. 6. To the extent that relief supplies procured with funds authorized under this joint resolution are not furnished on terms of repayment in dollars, they shall be furnished only upon condition that the government of the receiving country agree that when it sells such relief supplies for local currency (a) the amounts of such local currency will be deposited by it in a special account; (b) such account will be used within such country, as a revolving fund, until June 30, 1948, only upon the approval of the duly authorized representative of the United States, for relief and work relief purposes, including local currency expenses of the United States incident to the furnishing of relief; and (c) any unencumbered balance remaining in such account on June 30, 1948, will be disposed of within such country for such purposes as the United States Government, pursuant to Act or joint resolution of the Congress, may determine.

SEC. 7. The President shall submit to the Congress quarterly reports of expenditures and activities under authority of this joint resolution.

Approved May 31, 1947.

#### [CHAPTER 91]

#### AN ACT

May 31, 1947

[S. 854]

[Public Law 85]

To amend section 502 (a) of the Act entitled "An Act to expedite the provision of housing in connection with national defense, and for other purposes".

Defense housing, amendment.

60 Stat. 85.

Availability of funds.

59 Stat. 260.

42 U. S. C. §§ 1571-1573.

*Supra.*

59 Stat. 260.

42 U. S. C. §§ 1571-1573.

*Supra.*

60 Stat. 85.

42 U. S. C. § 1572 (d).

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 502 (a) of the Act entitled "An Act to expedite the provision of housing in connection with national defense, and for other purposes", approved October 14, 1940, as amended (42 U. S. C. 1572 (a)), is amended by striking out "\$410,000,000" and inserting in lieu thereof "\$445,500,000".

SEC. 2. That the additional funds herein authorized shall be available to carry out the purposes of sections 501, 502, and 503 of said Act of October 14, 1940, as amended, but shall be available only for necessary expenses in (1) completing the provision of temporary housing for which a contract in writing with any educational institution, State or political subdivision thereof, local public agency, or nonprofit organization had been made prior to the enactment hereof pursuant to title V of said Act of October 14, 1940, as amended: *Provided*, That such additional funds shall not be available for completing suspended units with respect to which, prior to April 1, 1947, no expenditures were made by the Administrator or the only expenditures made by the Administrator were for dismantling or dismantling and transportation, and (2) reimbursing any such educational institution, State or political subdivision thereof, local public agency, or nonprofit organization (a) for funds expended by it in completing any such temporary housing (exclusive of the costs of site acquisition and preparation, or the installation of streets and utility mains), or (b) for the cost of utility and other work in connection with any such temporary housing performed by it for the Administrator on a reimbursable basis pursuant to section 502 (d) of said Act of October 14, 1940, as amended, and (3) making payment, to such educational institutions, States or political subdivisions thereof, local public agencies and nonprofit organizations

of amounts equal to actual expenditures made by them prior to April 1, 1947, for costs of site acquisition and preparation, or installation of streets and utility mains, with respect to suspended units referred to in the proviso in clause (1) above.

Approved May 31, 1947.

[CHAPTER 97]

JOINT RESOLUTION

Limiting the application of provisions of Federal law to counsel employed under S. Res. 46.

June 4, 1947  
[S. J. Res. 107]  
[Public Law 86]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That nothing in section 109 or section 113 of the Criminal Code (U. S. C., 1940 edition, title 18, secs. 198 and 203), or in section 361, section 365, or section 366 of the Revised Statutes (U. S. C., 1940 edition, title 5, secs. 306, 314, and 315), or in any other provision of Federal law imposing restrictions, requirements, or penalties in relation to the employment of persons, the performance of services, or the payment or receipt of compensation in connection with any claim, proceeding, or matter involving the United States, shall apply with respect to counsel to the special committee of the Senate serving under the provisions of S. Res. 46, Eightieth Congress, first session, adopted January 22, 1947: *Provided, however*, That nothing contained herein shall be deemed to limit, curtail, or augment any existing authority in such committee or its counsel to initiate, prosecute, maintain, defend, or otherwise dispose of any claim, action, proceeding, or matter, civil or criminal, on behalf of the United States.

35 Stat. 1107, 1109.

Approved June 4, 1947.

[CHAPTER 98]

AN ACT

To amend section 3539 of the Revised Statutes, relating to taking trial pieces of coins.

June 5, 1947  
[S. 565]  
[Public Law 87]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 3539 of the Revised Statutes, as amended (U. S. C., title 31, sec. 352), is amended by striking out the word "two" wherever it appears therein and inserting in lieu thereof the word "ten".

Approved June 5, 1947.

[CHAPTER 100]

AN ACT

To authorize the exchange of lands acquired by the United States for the Silver Creek recreational demonstration project, Oregon, for the purpose of consolidating holdings therein, and for other purposes.

June 9, 1947  
[S. 583]  
[Public Law 88]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That for the purpose of consolidating Federal holdings of lands acquired for the Silver Creek recreational demonstration project, in the State of Oregon, the Secretary of the Interior is hereby authorized to exchange any such lands for other lands of approximately equal value when in his opinion such action is in the interest of the United States, the title to any lands acquired hereunder to be satisfactory to the Attorney General. Upon the vesting of title thereto in the United States, any lands acquired pursuant to this authorization shall become a part of the Silver Creek recreational demonstration project, and shall be subject to the laws applicable thereto.

Silver Creek recreational demonstration project.  
Exchange of lands.  
*Post*, p. 519.

16 U. S. C. §§ 459c-459t.

Release of condition providing for reversion of title to U. S.

SEC. 2. Upon the conveyance of the Silver Creek recreational demonstration project to the State of Oregon, or political subdivision thereof, pursuant to the Act of June 6, 1942 (56 Stat. 326), the Secretary of the Interior may authorize the grantee to exchange or otherwise dispose of any lands so conveyed in order to acquire other lands of approximately equal value for the purpose of consolidating the holdings of the grantee, the title to lands so acquired to be satisfactory to the Attorney General. For the aforesaid purpose the Secretary is authorized to execute a release, as to the particular lands involved, of any condition providing for a reversion of title to the United States, that may be contained in the conveyance by the United States to said grantee. No such release shall be executed, however, unless the grantee shall agree, in form satisfactory to the Secretary, that the lands to be acquired by it shall be subject to the conditions contained in the original conveyance from the United States, except that, in lieu of a provision for reversion, the grantee shall agree to convey said lands to the United States upon a finding by the Secretary in accordance with the procedure provided in said Act of June 6, 1942, that the grantee has not complied with such conditions during a period of more than three years. Lands so conveyed to the United States shall be subject to administration or disposition in like manner as recreational demonstration project lands that revert to the United States under the terms of the aforesaid Act.

Approved June 9, 1947.

#### [CHAPTER 101]

#### AN ACT

June 9, 1947  
[S. 993]

[Public Law 89]

To provide for the reincorporation of Export-Import Bank of Washington, and for other purposes.

12 U. S. C. § 635 (a).  
Export-Import  
Bank of Washington.

Powers.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 2 (a) of the Export-Import Bank Act of 1945, as amended (59 Stat. 526, 666), is hereby amended to read as follows:

"SEC. 2. (a) There is hereby created a corporation with the name Export-Import Bank of Washington, which shall be an agency of the United States of America. The objects and purposes of the bank shall be to aid in financing and to facilitate exports and imports and the exchange of commodities between the United States or any of its Territories or insular possessions and any foreign country or the agencies or nationals thereof. In connection with and in furtherance of its objects and purposes, the bank is authorized and empowered to do a general banking business except that of circulation; to receive deposits; to purchase, discount, rediscount, sell, and negotiate, with or without its endorsement or guaranty, and to guarantee notes, drafts, checks, bills of exchange, acceptances, including bankers' acceptances, cable transfers, and other evidences of indebtedness; to purchase, sell, and guarantee securities but not to purchase with its funds any stock in any other corporation except that it may acquire any such stock through the enforcement of any lien or pledge or otherwise to satisfy a previously contracted indebtedness to it; to accept bills and drafts drawn upon it; to issue letters of credit; to purchase and sell coin, bullion, and exchange; to borrow and to lend money; to perform any act herein authorized in participation with any other person, including any individual, partnership, corporation, or association; to adopt, alter, and use a corporate seal, which shall be judicially noticed; to sue and to be sued, to complain and to defend in any court of competent jurisdiction; and the enumeration of the foregoing powers

shall not be deemed to exclude other powers necessary to the achievement of the objects and purposes of the bank. The bank shall be entitled to the use of the United States mails in the same manner and upon the same conditions as the executive departments of the Government. The bank is hereby authorized to use all of its assets and all moneys which have been or may hereafter be allocated to or borrowed by it in the exercise of its functions. Net earnings of the bank after reasonable provision for possible losses shall be used for payment of dividends on capital stock. Any such dividends shall be deposited into the Treasury as miscellaneous receipts."

Use of net earnings.

SEC. 2. The Export-Import Bank Act of 1945, as amended, is hereby amended by striking out from section 6 thereof the words "Such obligations shall be redeemable at the option of the bank before maturity in such manner as may be stipulated in such obligations and shall have such maturity and bear such rate of interest as may be determined by the Board of Directors of the bank with the approval of the Secretary of the Treasury" and substituting in lieu thereof the following: "Such obligations shall be redeemable at the option of the bank before maturity in such manner as may be stipulated in such obligations and shall have such maturity as may be determined by the Board of Directors of the bank with the approval of the Secretary of the Treasury. Each such obligation shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average rate on outstanding marketable obligations of the United States as of the last day of the month preceding the issuance of the obligation of the bank".

59 Stat. 528.  
12 U. S. C. § 635d.

Redemption of obligations, etc.

SEC. 3. The Export-Import Bank Act of 1945, as amended, is hereby amended by striking out section 8 therefrom and substituting in lieu thereof a new section 8 as follows:

59 Stat. 529.  
12 U. S. C. § 635f.

"Sec. 8. Export-Import Bank of Washington shall continue to exercise its functions in connection with and in furtherance of its objects and purposes until the close of business on June 30, 1953, but the provisions of this section shall not be construed as preventing the bank from acquiring obligations prior to such date which mature subsequent to such date or from assuming prior to such date liability as guarantor, endorser, or acceptor of obligations which mature subsequent to such date or from issuing, either prior or subsequent to such date, for purchase by the Secretary of the Treasury, its notes, debentures, bonds, or other obligations which mature subsequent to such date or from continuing as a corporate agency of the United States and exercising any of its functions subsequent to such date for purposes of orderly liquidation, including the administration of its assets and the collection of any obligations held by the bank."

Continuation until  
June 30, 1953.

SEC. 4. The Export-Import Bank Act of 1945, as amended, is hereby amended by the addition of a section 12 as follows:

59 Stat. 526.  
12 U. S. C. §§ 635-635h.

"Sec. 12. The Export-Import Bank of Washington created hereby shall by virtue of this Act succeed to all of the rights and assume all of the liabilities of Export-Import Bank of Washington, a District of Columbia corporation, and any outstanding capital stock of the District of Columbia corporation shall be deemed to have been issued by and shall be capital stock of the corporation created by this Act and all of the personnel, property, records, funds (including all unexpended balances of appropriations, allocations, or other funds now available), assets, contracts, obligations, and liabilities of the District of Columbia corporation are hereby transferred to, accepted, and assumed by the corporation created by this Act without the necessity of any act or acts on the part of the corporation created by this Act or of the District of Columbia corporation, their officers, employees, or agents or of any other department or agency of the United States

*Ante*, p. 130; *supra*.  
Succession to rights,  
etc.



Board of Directors.

59 Stat. 526.  
12 U. S. C. §§ 635-  
635h.  
*Ante*, pp. 130, 131.

to carry out the purposes hereof and it shall be unnecessary to take any further action to effect the dissolution or liquidation of Export-Import Bank of Washington, a District of Columbia corporation. The members of the Board of Directors of the District of Columbia corporation, appointed pursuant to the provisions of the Export-Import Bank Act of 1945, shall, during the unexpired portion of the terms for which they were appointed, continue in office as members of the Board of Directors of the corporation created by this Act."

Approved June 9, 1947.

## [CHAPTER 102]

## AN ACT

To authorize an adequate White House Police force.

June 9, 1947  
[S. 1022]  
[Public Law 90]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That subsection (a) of section 2 of the Act entitled "An Act to create the White House Police force, and for other purposes", approved September 14, 1922 (42 Stat. 841, as amended; U. S. C., 1940 edition, title 3, sec. 62), is hereby amended to read as follows:

"Sec. 2. (a) The White House police force shall consist of such number of officers, with grades corresponding to similar officers of the Metropolitan Police force, and of such number of privates, with grade corresponding to that of private of the highest grade in the Metropolitan Police force, as may be necessary, but not exceeding one hundred and ten in number. Members of the White House Police shall be appointed from the members of the Metropolitan Police force and the United States Park Police force from lists furnished by the officers in charge of such forces. Vacancies shall be filled in the same manner."

Approved June 9, 1947.

## [CHAPTER 103]

## JOINT RESOLUTION

Authorizing the Administrator of Veterans' Affairs to continue and establish offices in the territory of the Republic of the Philippines.

June 14, 1947  
[S. J. Res. 115]  
[Public Law 91]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the authority in section 7 of the World War Veterans' Act, 1924 (43 Stat. 609; 38 U. S. C. 430), and section 101 of the Servicemen's Readjustment Act of 1944 (58 Stat. 284; 38 U. S. C. 693a) to establish regional offices, suboffices, contact units, or other subordinate offices may continue to be exercised by the Administrator of Veterans' Affairs with respect to territory of the Republic of the Philippines on and after the date of its independence if he deems such offices necessary, but in no event after June 30, 1948.

Approved June 14, 1947.

## [CHAPTER 104]

## AN ACT

To amend sections 3533 and 3536 of the Revised Statutes with respect to deviations in standard of ingots and weight of silver coins.

June 14, 1947  
[S. 566]  
[Public Law 92]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 3533 of the Revised Statutes (U. S. C., title 31, sec. 346) is amended by striking out the word "three-thousandths" and inserting in lieu thereof the word "six-thousandths".

SEC. 2. Section 3536 of the Revised Statutes, as amended (U. S. C., title 31, sec. 349), is amended to read as follows:

"In adjusting the weight of silver coins the following deviations shall not be exceeded in any single piece: In the dollar, six grains; in the half-dollar, four grains; in the quarter-dollar, three grains; and in the dime, one and one-half grains."

Approved June 14, 1947.

[CHAPTER 105]

AN ACT

To extend until June 30, 1949, the period of time during which persons may serve in certain executive departments and agencies without being prohibited from acting as counsel, agent, or attorney for prosecuting claims against the United States by reason of having so served.

June 14, 1947  
[S. 1073]  
[Public Law 93]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subsection (j) of the Renegotiation Act (50 U. S. C., Supp. V, App., sec. 1191 (j)) is amended to read as follows:

56 Stat. 985.

"(j) Nothing in sections 109 and 113 of the Criminal Code (U. S. C., title 18, secs. 198 and 203) or in section 190 of the Revised Statutes (U. S. C., title 5, sec. 99) shall be deemed to prevent any person by reason of service in a department or the Board during the period (or a part thereof) beginning May 27, 1940, and ending on June 30, 1949, from acting as counsel, agent, or attorney for prosecuting any claim against the United States: *Provided*, That such person shall not prosecute any claim against the United States (1) involving any subject matter directly connected with which such person was so employed, or (2) during the period such person is engaged in employment in a department."

Prosecution of  
claims against U. S.

Approved June 14, 1947.

[CHAPTER 106]

AN ACT

To extend for one year certain provisions of section 100 of the Servicemen's Readjustment Act of 1944, as amended, relating to the authority of the Administrator of Veterans' Affairs to enter into leases for periods not exceeding five years.

June 14, 1947  
[S. 1135]  
[Public Law 94]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the second paragraph of section 100 of the Servicemen's Readjustment Act of 1944, as amended (38 U. S. C. 693), is hereby amended by deleting "June 30, 1947" and inserting in lieu thereof the following: "June 30, 1948".

60 Stat. 299.

Approved June 14, 1947.

[CHAPTER 108]

JOINT RESOLUTION

To prepare a revised edition of the Annotated Constitution of the United States of America as published in 1938 as Senate Document 232 of the Seventy-fourth Congress.

June 17, 1947  
[S. J. Res. 69]  
[Public Law 95]

Whereas the Annotated Constitution of the United States of America published in 1938 as Senate Document 232, Seventy-fourth Congress, has served a very useful purpose by supplying essential information in one volume and at a very reasonable price; and  
Whereas Senate Document 232 is no longer available at the Government Printing Office; and

Annotated Consti-  
tution of the United  
States of America.

Revision, etc.

Whereas the reprinting of this document without annotations for the last ten years is not considered appropriate: Now, therefore, be it  
*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Librarian of Congress is hereby authorized and directed to have the Annotated Constitution of the United States of America, published in 1938, revised and extended to include annotations of decisions of the Supreme Court prior to January 1, 1948, construing the several provisions of the Constitution correlated under each separate provision, and to have the said revised document printed at the Government Printing Office. Three thousand copies shall be printed, of which two thousand two hundred copies shall be for the use of the House of Representatives and eight hundred copies for the use of the Senate.

Appropriation authorized.

SEC. 2. There is hereby authorized to be appropriated for carrying out the provisions of this Act, with respect to the preparation but not including printing, the sum of \$35,000 to remain available until expended.

Approved June 17, 1947.

## [CHAPTER 109]

## AN ACT

June 20, 1947  
 [S. 321]  
 [Public Law 96]

To amend section 17 of the Pay Readjustment Act of 1942, so as to increase the pay of cadets and midshipmen at the service academies, and for other purposes.

Cadets and midshipmen.  
 Increase in pay.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 17 of the Pay Readjustment Act of 1942 (56 Stat. 368; 37 U. S. C. 117), is hereby amended by striking therefrom the figures "\$780" and substituting therefor the figures "\$936".

SEC. 2. The increases in pay provided by this Act shall become effective on the first day of the first month following its enactment, and no increase in pay for any period prior thereto shall accrue by reason of the enactment of this Act.

Approved June 20, 1947.

## [CHAPTER 111]

## AN ACT

June 21, 1947  
 [S. 26]  
 [Public Law 97]

To make criminally liable persons who negligently allow prisoners in their custody to escape.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 138 of the Criminal Code (35 Stat. 1113; 18 U. S. C. 244) be, and it hereby is, amended to read as follows:

"Whenever any marshal, deputy marshal, ministerial officer, or other person has in his custody any prisoner by virtue of process issued under the laws of the United States by any court, judge, or commissioner, and such marshal, deputy marshal, ministerial officer, or other person voluntarily suffers such prisoner to escape, he shall be fined not more than \$2,000, or imprisoned not more than two years, or both. Whenever any marshal, deputy marshal, ministerial officer, or other person has in his custody any prisoner by virtue of process issued under the laws of the United States by any court, judge, or commissioner, and such marshal, deputy marshal, ministerial officer, or other person negligently suffers such prisoner to escape, he shall be fined not more than \$500 or imprisoned not more than one year, or both."

Approved June 21, 1947.

## [CHAPTER 112]

## AN ACT

To amend the Civil Service Retirement Act of May 29, 1930, as amended, so as to extend the benefits of such Act to the Official Reporters of Debates in the Senate and persons employed by them in connection with the performance of their duties as such reporters.

June 21, 1947  
[S. 125]  
[Public Law 98]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 3 (a) of the Civil Service Retirement Act, approved May 29, 1930, as amended, is amended by adding at the end of such subsection the following:

46 Stat. 470.  
5 U. S. C. § 693 (a).

“For the purposes of this Act, the Official Reporters of the proceedings and debates of the Senate and persons employed by them in connection with the performance of their duties as such reporters shall be deemed to be officers or employees in or under the legislative branch of the Government, and service heretofore or hereafter rendered as an Official Reporter of Debates of the Senate or as a person employed by the Official Reporters of Debates of the Senate in connection with the performance of their duties as such reporters shall be deemed to be service as an officer or employee in or under the legislative branch of the Government. The provisions of this Act shall not apply to any such Official Reporter or person employed by them until he gives notice in writing to the said Official Reporters of his desire to come within the purview of this Act. In the case of any such Official Reporter or person employed by them who is in service on the date of enactment of this subsection, such notice of desire to come within the purview of this Act must be given within six months after such date. In the case of any such Official Reporter or person employed by them who enters the service subsequent to the date of enactment of this subsection, such notice of desire to come within the purview of this Act must be given within six months after the date of such entrance into the service. No provision of this or any other Act relating to automatic separation from the service shall be applicable to any such Official Reporter or person employed by them.”

Extension of retirement act to Official Reporters of debates of Senate.

Approved June 21, 1947.

## CHAPTER 113]

## AN ACT

To grant to the Arthur Alexander Post Numbered 68, The American Legion, of Belzoni, Mississippi, all of the reversionary interest reserved to the United States in lands conveyed to said post pursuant to Act of Congress approved June 29, 1938.

June 21, 1947  
[H. R. 1412]  
[Public Law 99]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the reversionary interest reserved to the United States in the lands and improvements comprising the site of lock and dam numbered 1 on the Big Sunflower River, Mississippi, conveyed to the Arthur Alexander Post Numbered 68, The American Legion, of Belzoni, Mississippi, pursuant to Act of Congress, approved June 29, 1938 (52 Stat. 1230), is hereby relinquished and granted to said Arthur Alexander Post Numbered 68, which is hereby authorized to sell, convey, and alienate such property subject only to the perpetual right of the United States of America to flood such part of such land as may be necessary from time to time in the interest of flood control or navigation.

Approved June 21, 1947.

## [CHAPTER 114]

## AN ACT

June 21, 1947  
[H. R. 1874]  
[Public Law 100]

To amend the Act entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes", approved July 11, 1916, as amended and supplemented, and for other purposes.

58 Stat. 840.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That paragraph (d) of section 4 of the Federal-Aid Highway Act of 1944, Public Law 521, Seventy-eighth Congress, approved December 20, 1944, is hereby amended by striking out the term "one year" where it appears in said paragraph and inserting in lieu thereof the term "two years".

Approved June 21, 1947.

## [CHAPTER 120]

## AN ACT

June 23, 1947  
[H. R. 3020]  
[Public Law 101]

To amend the National Labor Relations Act, to provide additional facilities for the mediation of labor disputes affecting commerce, to equalize legal responsibilities of labor organizations and employers, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SHORT TITLE AND DECLARATION OF POLICY

SECTION 1. (a) This Act may be cited as the "Labor Management Relations Act, 1947".

(b) Industrial strife which interferes with the normal flow of commerce and with the full production of articles and commodities for commerce, can be avoided or substantially minimized if employers, employees, and labor organizations each recognize under law one another's legitimate rights in their relations with each other, and above all recognize under law that neither party has any right in its relations with any other to engage in acts or practices which jeopardize the public health, safety, or interest.

It is the purpose and policy of this Act, in order to promote the full flow of commerce, to prescribe the legitimate rights of both employees and employers in their relations affecting commerce, to provide orderly and peaceful procedures for preventing the interference by either with the legitimate rights of the other, to protect the rights of individual employees in their relations with labor organizations whose activities affect commerce, to define and proscribe practices on the part of labor and management which affect commerce and are inimical to the general welfare, and to protect the rights of the public in connection with labor disputes affecting commerce.

TITLE I—AMENDMENT OF NATIONAL LABOR  
RELATIONS ACT

49 Stat. 449.  
29 U. S. C. §§ 151-  
168.

SEC. 101. The National Labor Relations Act is hereby amended to read as follows:

## "FINDINGS AND POLICIES

"SECTION 1. The denial by some employers of the right of employees to organize and the refusal by some employers to accept the procedure of collective bargaining lead to strikes and other forms of industrial strife or unrest, which have the intent or the necessary effect of burdening or obstructing commerce by (a) impairing the efficiency, safety, or operation of the instrumentalities of commerce; (b) occurring in the

current of commerce; (c) materially affecting, restraining, or controlling the flow of raw materials or manufactured or processed goods from or into the channels of commerce, or the prices of such materials or goods in commerce; or (d) causing diminution of employment and wages in such volume as substantially to impair or disrupt the market for goods flowing from or into the channels of commerce.

"The inequality of bargaining power between employees who do not possess full freedom of association or actual liberty of contract, and employers who are organized in the corporate or other forms of ownership association substantially burdens and affects the flow of commerce, and tends to aggravate recurrent business depressions, by depressing wage rates and the purchasing power of wage earners in industry and by preventing the stabilization of competitive wage rates and working conditions within and between industries.

"Experience has proved that protection by law of the right of employees to organize and bargain collectively safeguards commerce from injury, impairment, or interruption, and promotes the flow of commerce by removing certain recognized sources of industrial strife and unrest, by encouraging practices fundamental to the friendly adjustment of industrial disputes arising out of differences as to wages, hours, or other working conditions, and by restoring equality of bargaining power between employers and employees.

"Experience has further demonstrated that certain practices by some labor organizations, their officers, and members have the intent or the necessary effect of burdening or obstructing commerce by preventing the free flow of goods in such commerce through strikes and other forms of industrial unrest or through concerted activities which impair the interest of the public in the free flow of such commerce. The elimination of such practices is a necessary condition to the assurance of the rights herein guaranteed.

"It is hereby declared to be the policy of the United States to eliminate the causes of certain substantial obstructions to the free flow of commerce and to mitigate and eliminate these obstructions when they have occurred by encouraging the practice and procedure of collective bargaining and by protecting the exercise by workers of full freedom of association, self-organization, and designation of representatives of their own choosing, for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection.

Policy of the United States.

#### "DEFINITIONS

*Post*, p. 161.

"SEC. 2. When used in this Act—

"(1) The term 'person' includes one or more individuals, labor organizations, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers.

"(2) The term 'employer' includes any person acting as an agent of an employer, directly or indirectly, but shall not include the United States or any wholly owned Government corporation, or any Federal Reserve Bank, or any State or political subdivision thereof, or any corporation or association operating a hospital, if no part of the net earnings inures to the benefit of any private shareholder or individual, or any person subject to the Railway Labor Act, as amended from time to time, or any labor organization (other than when acting as an employer), or anyone acting in the capacity of officer or agent of such labor organization.

"(3) The term 'employee' shall include any employee, and shall not be limited to the employees of a particular employer, unless the Act explicitly states otherwise, and shall include any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute or because of any unfair labor practice, and who has not

44 Stat. 577.  
45 U. S. C. §§ 151-  
163, 181-188.

44 Stat. 577.  
45 U. S. C. §§ 151-  
163, 181-188.

obtained any other regular and substantially equivalent employment, but shall not include any individual employed as an agricultural laborer, or in the domestic service of any family or person at his home, or any individual employed by his parent or spouse, or any individual having the status of an independent contractor, or any individual employed as a supervisor, or any individual employed by an employer subject to the Railway Labor Act, as amended from time to time, or by any other person who is not an employer as herein defined.

"(4) The term 'representatives' includes any individual or labor organization.

"(5) The term 'labor organization' means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

"(6) The term 'commerce' means trade, traffic, commerce, transportation, or communication among the several States, or between the District of Columbia or any Territory of the United States and any State or other Territory, or between any foreign country and any State, Territory, or the District of Columbia, or within the District of Columbia or any Territory, or between points in the same State but through any other State or any Territory or the District of Columbia or any foreign country.

"(7) The term 'affecting commerce' means in commerce, or burdening or obstructing commerce or the free flow of commerce, or having led or tending to lead to a labor dispute burdening or obstructing commerce or the free flow of commerce.

*Post*, p. 140.

"(8) The term 'unfair labor practice' means any unfair labor practice listed in section 8.

"(9) The term 'labor dispute' includes any controversy concerning terms, tenure or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee.

"(10) The term 'National Labor Relations Board' means the National Labor Relations Board provided for in section 3 of this Act.

"(11) The term 'supervisor' means any individual having authority, in the interest of the employer, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or responsibly to direct them, or to adjust their grievances, or effectively to recommend such action, if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

"(12) The term 'professional employee' means—

"(a) any employee engaged in work (i) predominantly intellectual and varied in character as opposed to routine mental, manual, mechanical, or physical work; (ii) involving the consistent exercise of discretion and judgment in its performance; (iii) of such a character that the output produced or the result accomplished cannot be standardized in relation to a given period of time; (iv) requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study in an institution of higher learning or a hospital, as distinguished from a general academic education or from an apprenticeship or from training in the performance of routine mental, manual, or physical processes; or

"(b) any employee, who (i) has completed the courses of specialized intellectual instruction and study described in clause (iv) of paragraph (a), and (ii) is performing related work under the supervision of a professional person to qualify himself to become a professional employee as defined in paragraph (a).

"(13) In determining whether any person is acting as an 'agent' of another person so as to make such other person responsible for his acts, the question of whether the specific acts performed were actually authorized or subsequently ratified shall not be controlling.

#### "NATIONAL LABOR RELATIONS BOARD

"SEC. 3. (a) The National Labor Relations Board (hereinafter called the 'Board') created by this Act prior to its amendment by the Labor Management Relations Act, 1947, is hereby continued as an agency of the United States, except that the Board shall consist of five instead of three members, appointed by the President by and with the advice and consent of the Senate. Of the two additional members so provided for, one shall be appointed for a term of five years and the other for a term of two years. Their successors, and the successors of the other members, shall be appointed for terms of five years each, excepting that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The President shall designate one member to serve as Chairman of the Board. Any member of the Board may be removed by the President, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause.

"(b) The Board is authorized to delegate to any group of three or more members any or all of the powers which it may itself exercise. A vacancy in the Board shall not impair the right of the remaining members to exercise all of the powers of the Board, and three members of the Board shall, at all times, constitute a quorum of the Board, except that two members shall constitute a quorum of any group designated pursuant to the first sentence hereof. The Board shall have an official seal which shall be judicially noticed.

"(c) The Board shall at the close of each fiscal year make a report in writing to Congress and to the President stating in detail the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees and officers in the employ or under the supervision of the Board, and an account of all moneys it has disbursed.

"(d) There shall be a General Counsel of the Board who shall be appointed by the President, by and with the advice and consent of the Senate, for a term of four years. The General Counsel of the Board shall exercise general supervision over all attorneys employed by the Board (other than trial examiners and legal assistants to Board members) and over the officers and employees in the regional offices. He shall have final authority, on behalf of the Board, in respect of the investigation of charges and issuance of complaints under section 10, and in respect of the prosecution of such complaints before the Board, and shall have such other duties as the Board may prescribe or as may be provided by law.

"SEC. 4. (a) Each member of the Board and the General Counsel of the Board shall receive a salary of \$12,000 a year, shall be eligible for reappointment, and shall not engage in any other business, vocation, or employment. The Board shall appoint an executive secretary, and such attorneys, examiners, and regional directors, and such other employees as it may from time to time find necessary for the proper performance of its duties. The Board may not employ any attorneys for the purpose of reviewing transcripts of hearings or preparing drafts of opinions except that any attorney employed for assignment

Continuance.

Removal of Board member.

Delegation of powers, etc.

Seal.

Report to Congress and to President.

General Counsel.

Post, p. 146.

Salaries.

Employees.



Review of trial examiner's report.	as a legal assistant to any Board member may for such Board member review such transcripts and prepare such drafts. No trial examiner's report shall be reviewed, either before or after its publication, by any person other than a member of the Board or his legal assistant, and no trial examiner shall advise or consult with the Board with respect to exceptions taken to his findings, rulings, or recommendations. The Board may establish or utilize such regional, local, or other agencies, and utilize such voluntary and uncompensated services, as may from time to time be needed. Attorneys appointed under this section may, at the direction of the Board, appear for and represent the Board in any case in court. Nothing in this Act shall be construed to authorize the Board to appoint individuals for the purpose of conciliation or mediation, or for economic analysis.
Use, etc., of other agencies and services.	
Payment of expenses.	"(b) All of the expenses of the Board, including all necessary traveling and subsistence expenses outside the District of Columbia incurred by the members or employees of the Board under its orders, shall be allowed and paid on the presentation of itemized vouchers therefor approved by the Board or by any individual it designates for that purpose.
Principal office.	"SEC. 5. The principal office of the Board shall be in the District of Columbia, but it may meet and exercise any or all of its powers at any other place. The Board may, by one or more of its members or by such agents or agencies as it may designate, prosecute any inquiry necessary to its functions in any part of the United States. A member who participates in such an inquiry shall not be disqualified from subsequently participating in a decision of the Board in the same case.
Rules and regulations.	"SEC. 6. The Board shall have authority from time to time to make, amend, and rescind, in the manner prescribed by the Administrative Procedure Act, such rules and regulations as may be necessary to carry out the provisions of this Act.

#### "RIGHTS OF EMPLOYEES

"SEC. 7. Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, and shall also have the right to refrain from any or all of such activities except to the extent that such right may be affected by an agreement requiring membership in a labor organization as a condition of employment as authorized in section 8 (a) (3).

#### "UNFAIR LABOR PRACTICES

Employer.

"SEC. 8. (a) It shall be an unfair labor practice for an employer—

"(1) to interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in section 7;

"(2) to dominate or interfere with the formation or administration of any labor organization or contribute financial or other support to it: *Provided*, That subject to rules and regulations made and published by the Board pursuant to section 6, an employer shall not be prohibited from permitting employees to confer with him during working hours without loss of time or pay;

"(3) by discrimination in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage membership in any labor organization: *Provided*, That nothing in this Act, or in any other statute of the United States, shall preclude an employer from making an agreement with a labor organization (not established, maintained, or assisted by any action defined in section 8 (a) of this Act as an unfair labor

practice) to require as a condition of employment membership therein on or after the thirtieth day following the beginning of such employment or the effective date of such agreement, whichever is the later, (i) if such labor organization is the representative of the employees as provided in section 9 (a), in the appropriate collective-bargaining unit covered by such agreement when made; and (ii) if, following the most recent election held as provided in section 9 (e) the Board shall have certified that at least a majority of the employees eligible to vote in such election have voted to authorize such labor organization to make such an agreement: *Provided further*, That no employer shall justify any discrimination against an employee for nonmembership in a labor organization (A) if he has reasonable grounds for believing that such membership was not available to the employee on the same terms and conditions generally applicable to other members, or (B) if he has reasonable grounds for believing that membership was denied or terminated for reasons other than the failure of the employee to tender the periodic dues and the initiation fees uniformly required as a condition of acquiring or retaining membership;

“(4) to discharge or otherwise discriminate against an employee because he has filed charges or given testimony under this Act;

“(5) to refuse to bargain collectively with the representatives of his employees, subject to the provisions of section 9 (a).

“(b) It shall be an unfair labor practice for a labor organization or its agents—

Labor organization  
or agents.

“(1) to restrain or coerce (A) employees in the exercise of the rights guaranteed in section 7: *Provided*, That this paragraph shall not impair the right of a labor organization to prescribe its own rules with respect to the acquisition or retention of membership therein; or (B) an employer in the selection of his representatives for the purposes of collective bargaining or the adjustment of grievances;

“(2) to cause or attempt to cause an employer to discriminate against an employee in violation of subsection (a) (3) or to discriminate against an employee with respect to whom membership in such organization has been denied or terminated on some ground other than his failure to tender the periodic dues and the initiation fees uniformly required as a condition of acquiring or retaining membership;

“(3) to refuse to bargain collectively with an employer, provided it is the representative of his employees subject to the provisions of section 9 (a);

“(4) to engage in, or to induce or encourage the employees of any employer to engage in, a strike or a concerted refusal in the course of their employment to use, manufacture, process, transport, or otherwise handle or work on any goods, articles, materials, or commodities or to perform any services, where an object thereof is: (A) forcing or requiring any employer or self-employed person to join any labor or employer organization or any employer or other person to cease using, selling, handling, transporting, or otherwise dealing in the products of any other producer, processor, or manufacturer, or to cease doing business with any other person; (B) forcing or requiring any other employer to recognize or bargain with a labor organization as the representative of his employees unless such labor organization has been certified as the representative of such employees under the provisions of section 9; (C) forcing or requiring any employer to recognize or bargain with a particular labor organization as the representative of his

Engaging in certain  
strikes, etc.

employees if another labor organization has been certified as the representative of such employees under the provisions of section 9; (D) forcing or requiring any employer to assign particular work to employees in a particular labor organization or in a particular trade, craft, or class rather than to employees in another labor organization or in another trade, craft, or class, unless such employer is failing to conform to an order or certification of the Board determining the bargaining representative for employees performing such work: *Provided*, That nothing contained in this subsection (b) shall be construed to make unlawful a refusal by any person to enter upon the premises of any employer (other than his own employer), if the employees of such employer are engaged in a strike ratified or approved by a representative of such employees whom such employer is required to recognize under this Act;

Excessive or discriminatory fees.

"(5) to require of employees covered by an agreement authorized under subsection (a) (3) the payment, as a condition precedent to becoming a member of such organization, of a fee in an amount which the Board finds excessive or discriminatory under all the circumstances. In making such a finding, the Board shall consider, among other relevant factors, the practices and customs of labor organizations in the particular industry, and the wages currently paid to the employees affected; and

Payment by employer for services not performed.

"(6) to cause or attempt to cause an employer to pay or deliver or agree to pay or deliver any money or other thing of value, in the nature of an exaction, for services which are not performed or not to be performed.

"(c) The expressing of any views, argument, or opinion, or the dissemination thereof, whether in written, printed, graphic, or visual form, shall not constitute or be evidence of an unfair labor practice under any of the provisions of this Act, if such expression contains no threat of reprisal or force or promise of benefit.

"To bargain collectively."

"(d) For the purposes of this section, to bargain collectively is the performance of the mutual obligation of the employer and the representative of the employees to meet at reasonable times and confer in good faith with respect to wages, hours, and other terms and conditions of employment, or the negotiation of an agreement, or any question arising thereunder, and the execution of a written contract incorporating any agreement reached if requested by either party, but such obligation does not compel either party to agree to a proposal or require the making of a concession: *Provided*, That where there is in effect a collective-bargaining contract covering employees in an industry affecting commerce, the duty to bargain collectively shall also mean that no party to such contract shall terminate or modify such contract, unless the party desiring such termination or modification—

"(1) serves a written notice upon the other party to the contract of the proposed termination or modification sixty days prior to the expiration date thereof, or in the event such contract contains no expiration date, sixty days prior to the time it is proposed to make such termination or modification;

"(2) offers to meet and confer with the other party for the purpose of negotiating a new contract or a contract containing the proposed modifications;

"(3) notifies the Federal Mediation and Conciliation Service within thirty days after such notice of the existence of a dispute, and simultaneously therewith notifies any State or Territorial agency established to mediate and conciliate disputes within the State or Territory where the dispute occurred, provided no agreement has been reached by that time; and

"(4) continues in full force and effect, without resorting to strike or lock-out, all the terms and conditions of the existing contract for a period of sixty days after such notice is given or until the expiration date of such contract, whichever occurs later: The duties imposed upon employers, employees, and labor organizations by paragraphs (2), (3), and (4) shall become inapplicable upon an intervening certification of the Board, under which the labor organization or individual, which is a party to the contract, has been superseded as or ceased to be the representative of the employees subject to the provisions of section 9 (a), and the duties so imposed shall not be construed as requiring either party to discuss or agree to any modification of the terms and conditions contained in a contract for a fixed period, if such modification is to become effective before such terms and conditions can be reopened under the provisions of the contract. Any employee who engages in a strike within the sixty-day period specified in this subsection shall lose his status as an employee of the employer engaged in the particular labor dispute, for the purposes of sections 8, 9, and 10 of this Act, as amended, but such loss of status for such employee shall terminate if and when he is reemployed by such employer.

Intervening certification of Board.

Loss of status by employee.

#### "REPRESENTATIVES AND ELECTIONS

"SEC. 9. (a) Representatives designated or selected for the purposes of collective bargaining by the majority of the employees in a unit appropriate for such purposes, shall be the exclusive representatives of all the employees in such unit for the purposes of collective bargaining in respect to rates of pay, wages, hours of employment, or other conditions of employment: *Provided*, That any individual employee or a group of employees shall have the right at any time to present grievances to their employer and to have such grievances adjusted, without the intervention of the bargaining representative, as long as the adjustment is not inconsistent with the terms of a collective-bargaining contract or agreement then in effect: *Provided further*, That the bargaining representative has been given opportunity to be present at such adjustment.

"(b) The Board shall decide in each case whether, in order to assure to employees the fullest freedom in exercising the rights guaranteed by this Act, the unit appropriate for the purposes of collective bargaining shall be the employer unit, craft unit, plant unit, or subdivision thereof: *Provided*, That the Board shall not (1) decide that any unit is appropriate for such purposes if such unit includes both professional employees and employees who are not professional employees unless a majority of such professional employees vote for inclusion in such unit; or (2) decide that any craft unit is inappropriate for such purposes on the ground that a different unit has been established by a prior Board determination, unless a majority of the employees in the proposed craft unit vote against separate representation or (3) decide that any unit is appropriate for such purposes if it includes, together with other employees, any individual employed as a guard to enforce against employees and other persons rules to protect property of the employer or to protect the safety of persons on the employer's premises; but no labor organization shall be certified as the representative of employees in a bargaining unit of guards if such organization admits to membership, or is affiliated directly or indirectly with an organization which admits to membership, employees other than guards.

Decision of Board regarding appropriate unit.

Investigation of petition; hearing.

“(c) (1) Whenever a petition shall have been filed, in accordance with such regulations as may be prescribed by the Board—

“(A) by an employee or group of employees or any individual or labor organization acting in their behalf alleging that a substantial number of employees (i) wish to be represented for collective bargaining and that their employer declines to recognize their representative as the representative defined in section 9 (a), or (ii) assert that the individual or labor organization, which has been certified or is being currently recognized by their employer as the bargaining representative, is no longer a representative as defined in section 9 (a); or

“(B) by an employer, alleging that one or more individuals or labor organizations have presented to him a claim to be recognized as the representative defined in section 9 (a);

Election by secret ballot.

the Board shall investigate such petition and if it has reasonable cause to believe that a question of representation affecting commerce exists shall provide for an appropriate hearing upon due notice. Such hearing may be conducted by an officer or employee of the regional office, who shall not make any recommendations with respect thereto. If the Board finds upon the record of such hearing that such a question of representation exists, it shall direct an election by secret ballot and shall certify the results thereof.

“(2) In determining whether or not a question of representation affecting commerce exists, the same regulations and rules of decision shall apply irrespective of the identity of the persons filing the petition or the kind of relief sought and in no case shall the Board deny a labor organization a place on the ballot by reason of an order with respect to such labor organization or its predecessor not issued in conformity with section 10 (c).

“(3) No election shall be directed in any bargaining unit or any subdivision within which, in the preceding twelve-month period, a valid election shall have been held. Employees on strike who are not entitled to reinstatement shall not be eligible to vote. In any election where none of the choices on the ballot receives a majority, a run-off shall be conducted, the ballot providing for a selection between the two choices receiving the largest and second largest number of valid votes cast in the election.

“(4) Nothing in this section shall be construed to prohibit the waiving of hearings by stipulation for the purpose of a consent election in conformity with regulations and rules of decision of the Board.

“(5) In determining whether a unit is appropriate for the purposes specified in subsection (b) the extent to which the employees have organized shall not be controlling.

Post, p. 147.

“(d) Whenever an order of the Board made pursuant to section 10 (c) is based in whole or in part upon facts certified following an investigation pursuant to subsection (c) of this section and there is a petition for the enforcement or review of such order, such certification and the record of such investigation shall be included in the transcript of the entire record required to be filed under section 10 (e) or 10 (f), and thereupon the decree of the court enforcing, modifying, or setting aside in whole or in part the order of the Board shall be made and entered upon the pleadings, testimony, and proceedings set forth in such transcript.

Petition to make agreement with employer.

“(e) (1) Upon the filing with the Board by a labor organization, which is the representative of employees as provided in section 9 (a), of a petition alleging that 30 per centum or more of the employees within a unit claimed to be appropriate for such purposes desire to authorize such labor organization to make an agreement with the employer of such employees requiring membership in such labor organ-

ization as a condition of employment in such unit, upon an appropriate showing thereof the Board shall, if no question of representation exists, take a secret ballot of such employees, and shall certify the results thereof to such labor organization and to the employer.

"(2) Upon the filing with the Board, by 30 per centum or more of the employees in a bargaining unit covered by an agreement between their employer and a labor organization made pursuant to section 8 (a) (3) (ii), of a petition alleging they desire that such authority be rescinded, the Board shall take a secret ballot of the employees in such unit, and shall certify the results thereof to such labor organization and to the employer.

"(3) No election shall be conducted pursuant to this subsection in any bargaining unit or any subdivision within which, in the preceding twelve-month period, a valid election shall have been held.

"(f) No investigation shall be made by the Board of any question affecting commerce concerning the representation of employees, raised by a labor organization under subsection (c) of this section, no petition under section 9 (e) (1) shall be entertained, and no complaint shall be issued pursuant to a charge made by a labor organization under subsection (b) of section 10, unless such labor organization and any national or international labor organization of which such labor organization is an affiliate or constituent unit (A) shall have prior thereto filed with the Secretary of Labor copies of its constitution and bylaws and a report, in such form as the Secretary may prescribe, showing—

Filing of constitution, etc., prior to action by Board.

"(1) the name of such labor organization and the address of its principal place of business;

"(2) the names, titles, and compensation and allowances of its three principal officers and of any of its other officers or agents whose aggregate compensation and allowances for the preceding year exceeded \$5,000, and the amount of the compensation and allowances paid to each such officer or agent during such year;

"(3) the manner in which the officers and agents referred to in clause (2) were elected, appointed, or otherwise selected;

"(4) the initiation fee or fees which new members are required to pay on becoming members of such labor organization;

"(5) the regular dues or fees which members are required to pay in order to remain members in good standing of such labor organization;

"(6) a detailed statement of, or reference to provisions of its constitution and bylaws showing the procedure followed with respect to, (a) qualification for or restrictions on membership, (b) election of officers and stewards, (c) calling of regular and special meetings, (d) levying of assessments, (e) imposition of fines, (f) authorization for bargaining demands, (g) ratification of contract terms, (h) authorization for strikes, (i) authorization for disbursement of union funds, (j) audit of union financial transactions, (k) participation in insurance or other benefit plans, and (l) expulsion of members and the grounds therefor;

and (B) can show that prior thereto it has—

"(1) filed with the Secretary of Labor, in such form as the Secretary may prescribe, a report showing all of (a) its receipts of any kind and the sources of such receipts, (b) its total assets and liabilities as of the end of its last fiscal year, (c) the disbursements made by it during such fiscal year, including the purposes for which made; and

Report showing receipts, etc.

"(2) furnished to all of the members of such labor organization copies of the financial report required by paragraph (1) hereof to be filed with the Secretary of Labor.

Obligation of labor organizations to file annual reports.

“(g) It shall be the obligation of all labor organizations to file annually with the Secretary of Labor, in such form as the Secretary of Labor may prescribe, reports bringing up to date the information required to be supplied in the initial filing by subsection (f) (A) of this section, and to file with the Secretary of Labor and furnish to its members annually financial reports in the form and manner prescribed in subsection (f) (B). No labor organization shall be eligible for certification under this section as the representative of any employees, no petition under section 9 (e) (1) shall be entertained, and no complaint shall issue under section 10 with respect to a charge filed by a labor organization unless it can show that it and any national or international labor organization of which it is an affiliate or constituent unit has complied with its obligation under this subsection.

Affidavit that labor officer is not member of Communist Party, etc.

“(h) No investigation shall be made by the Board of any question affecting commerce concerning the representation of employees, raised by a labor organization under subsection (c) of this section, no petition under section 9 (e) (1) shall be entertained, and no complaint shall be issued pursuant to a charge made by a labor organization under subsection (b) of section 10, unless there is on file with the Board an affidavit executed contemporaneously or within the preceding twelve-month period by each officer of such labor organization and the officers of any national or international labor organization of which it is an affiliate or constituent unit that he is not a member of the Communist Party or affiliated with such party, and that he does not believe in, and is not a member of or supports any organization that believes in or teaches, the overthrow of the United States Government by force or by any illegal or unconstitutional methods. The provisions of section 35 A of the Criminal Code shall be applicable in respect to such affidavits.

52 Stat. 197.  
18 U. S. C. §§ 80,  
83-85.

#### “PREVENTION OF UNFAIR LABOR PRACTICES

Powers of Board.

“SEC. 10. (a) The Board is empowered, as hereinafter provided, to prevent any person from engaging in any unfair labor practice (listed in section 8) affecting commerce. This power shall not be affected by any other means of adjustment or prevention that has been or may be established by agreement, law, or otherwise: *Provided*, That the Board is empowered by agreement with any agency of any State or Territory to cede to such agency jurisdiction over any cases in any industry (other than mining, manufacturing, communications, and transportation except where predominantly local in character) even though such cases may involve labor disputes affecting commerce, unless the provision of the State or Territorial statute applicable to the determination of such cases by such agency is inconsistent with the corresponding provision of this Act or has received a construction inconsistent therewith.

Issuance of complaint, etc.

“(b) Whenever it is charged that any person has engaged in or is engaging in any such unfair labor practice, the Board, or any agent or agency designated by the Board for such purposes, shall have power to issue and cause to be served upon such person a complaint stating the charges in that respect, and containing a notice of hearing before the Board or a member thereof, or before a designated agent or agency, at a place therein fixed, not less than five days after the serving of said complaint: *Provided*, That no complaint shall issue based upon any unfair labor practice occurring more than six months prior to the filing of the charge with the Board and the service of a copy thereof upon the person against whom such charge is made, unless the person aggrieved thereby was prevented from filing such charge by reason of service in the armed forces, in which event the six-month period shall be computed from the day of his discharge. Any such complaint may be amended by the member, agent, or agency conducting the hearing

or the Board in its discretion at any time prior to the issuance of an order based thereon. The person so complained of shall have the right to file an answer to the original or amended complaint and to appear in person or otherwise and give testimony at the place and time fixed in the complaint. In the discretion of the member, agent, or agency conducting the hearing or the Board, any other person may be allowed to intervene in the said proceeding and to present testimony. Any such proceeding shall, so far as practicable, be conducted in accordance with the rules of evidence applicable in the district courts of the United States under the rules of civil procedure for the district courts of the United States, adopted by the Supreme Court of the United States pursuant to the Act of June 19, 1934 (U. S. C., title 28, secs. 723-B, 723-C).

“(c) The testimony taken by such member, agent, or agency or the Board shall be reduced to writing and filed with the Board. Thereafter, in its discretion, the Board upon notice may take further testimony or hear argument. If upon the preponderance of the testimony taken the Board shall be of the opinion that any person named in the complaint has engaged in or is engaging in any such unfair labor practice, then the Board shall state its findings of fact and shall issue and cause to be served on such person an order requiring such person to cease and desist from such unfair labor practice, and to take such affirmative action including reinstatement of employees with or without back pay, as will effectuate the policies of this Act: *Provided*, That where an order directs reinstatement of an employee, back pay may be required of the employer or labor organization, as the case may be, responsible for the discrimination suffered by him: *And provided further*, That in determining whether a complaint shall issue alleging a violation of section 8 (a) (1) or section 8 (a) (2), and in deciding such cases, the same regulations and rules of decision shall apply irrespective of whether or not the labor organization affected is affiliated with a labor organization national or international in scope. Such order may further require such person to make reports from time to time showing the extent to which it has complied with the order. If upon the preponderance of the testimony taken the Board shall not be of the opinion that the person named in the complaint has engaged in or is engaging in any such unfair labor practice, then the Board shall state its findings of fact and shall issue an order dismissing the said complaint. No order of the Board shall require the reinstatement of any individual as an employee who has been suspended or discharged, or the payment to him of any back pay, if such individual was suspended or discharged for cause. In case the evidence is presented before a member of the Board, or before an examiner or examiners thereof, such member, or such examiner or examiners, as the case may be, shall issue and cause to be served on the parties to the proceeding a proposed report, together with a recommended order, which shall be filed with the Board, and if no exceptions are filed within twenty days after service thereof upon such parties, or within such further period as the Board may authorize, such recommended order shall become the order of the Board and become effective as therein prescribed.

“(d) Until a transcript of the record in a case shall have been filed in a court, as hereinafter provided, the Board may at any time, upon reasonable notice and in such manner as it shall deem proper, modify or set aside, in whole or in part, any finding or order made or issued by it.

“(e) The Board shall have power to petition any circuit court of appeals of the United States (including the United States Court of Appeals for the District of Columbia), or if all the circuit courts of appeals to which application may be made are in vacation, any district

48 Stat. 1064.  
28 U. S. C. §§ 723b,  
723c.  
Testimony.

Back pay.

Applicability of  
rules of decision, etc.

Order dismissing  
complaint, etc.

Modification, etc.,  
by Board of finding or  
order.

Petition to court for  
enforcement of order,  
etc.



Findings of Board.

Jurisdiction of court,  
etc.36 Stat. 1157.  
Review of order.

court of the United States (including the District Court of the United States for the District of Columbia), within any circuit or district, respectively, wherein the unfair labor practice in question occurred or wherein such person resides or transacts business, for the enforcement of such order and for appropriate temporary relief or restraining order, and shall certify and file in the court a transcript of the entire record in the proceedings, including the pleadings and testimony upon which such order was entered and the findings and order of the Board. Upon such filing, the court shall cause notice thereof to be served upon such person, and thereupon shall have jurisdiction of the proceeding and of the question determined therein, and shall have power to grant such temporary relief or restraining order as it deems just and proper, and to make and enter upon the pleadings, testimony, and proceedings set forth in such transcript a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the Board. No objection that has not been urged before the Board, its member, agent, or agency, shall be considered by the court, unless the failure or neglect to urge such objection shall be excused because of extraordinary circumstances. The findings of the Board with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the hearing before the Board, its member, agent, or agency, the court may order such additional evidence to be taken before the Board, its members, agent, or agency, and to be made a part of the transcript. The Board may modify its findings as to the facts, or make new findings, by reason of additional evidence so taken and filed, and it shall file such modified or new findings, which findings with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall be conclusive, and shall file its recommendations, if any, for the modification or setting aside of its original order. The jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the same shall be subject to review by the appropriate circuit court of appeals if application was made to the district court as hereinabove provided, and by the Supreme Court of the United States upon writ of certiorari or certification as provided in sections 239 and 240 of the Judicial Code, as amended (U. S. C., title 28, secs. 346 and 347).

“(f) Any person aggrieved by a final order of the Board granting or denying in whole or in part the relief sought may obtain a review of such order in any circuit court of appeals of the United States in the circuit wherein the unfair labor practice in question was alleged to have been engaged in or wherein such person resides or transacts business, or in the United States Court of Appeals for the District of Columbia, by filing in such court a written petition praying that the order of the Board be modified or set aside. A copy of such petition shall be forthwith served upon the Board, and thereupon the aggrieved party shall file in the court a transcript of the entire record in the proceeding, certified by the Board, including the pleading and testimony upon which the order complained of was entered, and the findings and order of the Board. Upon such filing, the court shall proceed in the same manner as in the case of an application by the Board under subsection (e), and shall have the same exclusive jurisdiction to grant to the Board such temporary relief or restraining order as it deems just and proper, and in like manner to make and enter a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the Board; the findings of the Board with

respect to questions of fact if supported by substantial evidence on the record considered as a whole shall in like manner be conclusive.

“(g) The commencement of proceedings under subsection (e) or (f) of this section shall not, unless specifically ordered by the court, operate as a stay of the Board’s order.

“(h) When granting appropriate temporary relief or a restraining order, or making and entering a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part an order on the Board, as provided in this section, the jurisdiction of courts sitting in equity shall not be limited by the Act entitled ‘An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes’, approved March 23, 1932 (U. S. C., Supp. VII, title 29, secs. 101–115).

“(i) Petitions filed under this Act shall be heard expeditiously, and if possible within ten days after they have been docketed.

“(j) The Board shall have power, upon issuance of a complaint as provided in subsection (b) charging that any person has engaged in or is engaging in an unfair labor practice, to petition any district court of the United States (including the District Court of the United States for the District of Columbia), within any district wherein the unfair labor practice in question is alleged to have occurred or wherein such person resides or transacts business, for appropriate temporary relief or restraining order. Upon the filing of any such petition the court shall cause notice thereof to be served upon such person, and thereupon shall have jurisdiction to grant to the Board such temporary relief or restraining order as it deems just and proper.

“(k) Whenever it is charged that any person has engaged in an unfair labor practice within the meaning of paragraph (4) (D) of section 8 (b), the Board is empowered and directed to hear and determine the dispute out of which such unfair labor practice shall have arisen, unless, within ten days after notice that such charge has been filed, the parties to such dispute submit to the Board satisfactory evidence that they have adjusted, or agreed upon methods for the voluntary adjustment of, the dispute. Upon compliance by the parties to the dispute with the decision of the Board or upon such voluntary adjustment of the dispute, such charge shall be dismissed.

“(l) Whenever it is charged that any person has engaged in an unfair labor practice within the meaning of paragraph (4) (A), (B), or (C) of section 8 (b), the preliminary investigation of such charge shall be made forthwith and given priority over all other cases except cases of like character in the office where it is filed or to which it is referred. If, after such investigation, the officer or regional attorney to whom the matter may be referred has reasonable cause to believe such charge is true and that a complaint should issue, he shall, on behalf of the Board, petition any district court of the United States (including the District Court of the United States for the District of Columbia) within any district where the unfair labor practice in question has occurred, is alleged to have occurred, or wherein such person resides or transacts business, for appropriate injunctive relief pending the final adjudication of the Board with respect to such matter. Upon the filing of any such petition the district court shall have jurisdiction to grant such injunctive relief or temporary restraining order as it deems just and proper, notwithstanding any other provision of law: *Provided further*, That no temporary restraining order shall be issued without notice unless a petition alleges that substantial and irreparable injury to the charging party will be unavoidable and such temporary restraining order shall be effective for no longer than five days and will become void at the expiration of such period. Upon filing of any such petition the courts shall cause notice thereof to be served upon any person involved in the charge and such person, including the charging

47 Stat. 70.  
29 U. S. C. §§ 101–115.

Petition to court for temporary relief, etc.

Power of Board to determine dispute.

Preliminary investigation of charge.

Petition for injunctive relief.

party, shall be given an opportunity to appear by counsel and present any relevant testimony: *Provided further*, That for the purposes of this subsection district courts shall be deemed to have jurisdiction of a labor organization (1) in the district in which such organization maintains its principal office, or (2) in any district in which its duly authorized officers or agents are engaged in promoting or protecting the interests of employee members. The service of legal process upon such officer or agent shall constitute service upon the labor organization and make such organization a party to the suit. In situations where such relief is appropriate the procedure specified herein shall apply to charges with respect to section 8 (b) (4) (D).

*Ante*, p. 142.

#### "INVESTIGATORY POWERS

"SEC. 11. For the purpose of all hearings and investigations, which, in the opinion of the Board, are necessary and proper for the exercise of the powers vested in it by section 9 and section 10—

*Ante*, p. 143.

Access to evidence.

Issuance of subpoenas.

Administration of oaths, etc.

Refusal to obey subpoena, etc.

"(1) The Board, or its duly authorized agents or agencies, shall at all reasonable times have access to, for the purpose of examination, and the right to copy any evidence of any person being investigated or proceeded against that relates to any matter under investigation or in question. The Board, or any member thereof, shall upon application of any party to such proceedings, forthwith issue to such party subpoenas requiring the attendance and testimony of witnesses or the production of any evidence in such proceeding or investigation requested in such application. Within five days after the service of a subpoena on any person requiring the production of any evidence in his possession or under his control, such person may petition the Board to revoke, and the Board shall revoke, such subpoena if in its opinion the evidence whose production is required does not relate to any matter under investigation, or any matter in question in such proceedings, or if in its opinion such subpoena does not describe with sufficient particularity the evidence whose production is required. Any member of the Board, or any agent or agency designated by the Board for such purposes, may administer oaths and affirmations, examine witnesses, and receive evidence. Such attendance of witnesses and the production of such evidence may be required from any place in the United States or any Territory or possession thereof, at any designated place of hearing.

"(2) In case of contumacy or refusal to obey a subpoena issued to any person, any district court of the United States or the United States courts of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Board shall have jurisdiction to issue to such person an order requiring such person to appear before the Board, its member, agent, or agency, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

"(3) No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to the subpoena of the Board, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is

compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

"(4) Complaints, orders, and other process and papers of the Board, its member, agent, or agency, may be served either personally or by registered mail or by telegraph or by leaving a copy thereof at the principal office or place of business of the person required to be served. The verified return by the individual so serving the same setting forth the manner of such service shall be proof of the same, and the return post office receipt or telegraph receipt therefor when registered and mailed or telegraphed as aforesaid shall be proof of service of the same. Witnesses summoned before the Board, its member, agent, or agency, shall be paid the same fees and mileage that are paid witnesses in the courts of the United States, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like services in the courts of the United States.

"(5) All process of any court to which application may be made under this Act may be served in the judicial district wherein the defendant or other person required to be served resides or may be found.

"(6) The several departments and agencies of the Government, when directed by the President, shall furnish the Board, upon its request, all records, papers, and information in their possession relating to any matter before the Board.

"SEC. 12. Any person who shall willfully resist, prevent, impede, or interfere with any member of the Board or any of its agents or agencies in the performance of duties pursuant to this Act shall be punished by a fine of not more than \$5,000 or by imprisonment for not more than one year, or both.

#### "LIMITATIONS

"SEC. 13. Nothing in this Act, except as specifically provided for herein, shall be construed so as either to interfere with or impede or diminish in any way the right to strike, or to affect the limitations or qualifications on that right.

"SEC. 14. (a) Nothing herein shall prohibit any individual employed as a supervisor from becoming or remaining a member of a labor organization, but no employer subject to this Act shall be compelled to deem individuals defined herein as supervisors as employees for the purpose of any law, either national or local, relating to collective bargaining.

"(b) Nothing in this Act shall be construed as authorizing the execution or application of agreements requiring membership in a labor organization as a condition of employment in any State or Territory in which such execution or application is prohibited by State or Territorial law.

"SEC. 15. Wherever the application of the provisions of section 272 of chapter 10 of the Act entitled 'An Act to establish a uniform system of bankruptcy throughout the United States', approved July 1, 1898, and Acts amendatory thereof and supplementary thereto (U. S. C., title 11, sec. 672), conflicts with the application of the provisions of this Act, this Act shall prevail: *Provided*, That in any situation where the provisions of this Act cannot be validly enforced, the provisions of such other Acts shall remain in full force and effect.

"SEC. 16. If any provision of this Act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of this Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

Service of complaints, orders, etc.

Payment of witnesses.

Records of departments, etc.

Penalty.

Right to strike.

Supervisors.

Execution of agreements requiring membership, etc.

Conflict with other laws.

52 Stat. 904.

Separability of provisions.

Short title.

“SEC. 17. This Act may be cited as the ‘National Labor Relations Act.’”

#### EFFECTIVE DATE OF CERTAIN CHANGES

Unfair labor practice.

*Ante*, pp. 140, 141.

Certification of representatives, etc.

49 Stat. 453.  
29 U. S. C. § 159.  
*Ante*, p. 143.

Amendments made by Title I.

*Ante*, p. 139.

SEC. 102. No provision of this title shall be deemed to make an unfair labor practice any act which was performed prior to the date of the enactment of this Act which did not constitute an unfair labor practice prior thereto, and the provisions of section 8 (a) (3) and section 8 (b) (2) of the National Labor Relations Act as amended by this title shall not make an unfair labor practice the performance of any obligation under a collective-bargaining agreement entered into prior to the date of the enactment of this Act, or (in the case of an agreement for a period of not more than one year) entered into on or after such date of enactment, but prior to the effective date of this title, if the performance of such obligation would not have constituted an unfair labor practice under section 8 (3) of the National Labor Relations Act prior to the effective date of this title, unless such agreement was renewed or extended subsequent thereto.

SEC. 103. No provisions of this title shall affect any certification of representatives or any determination as to the appropriate collective-bargaining unit, which was made under section 9 of the National Labor Relations Act prior to the effective date of this title until one year after the date of such certification or if, in respect of any such certification, a collective-bargaining contract was entered into prior to the effective date of this title, until the end of the contract period or until one year after such date, whichever first occurs.

SEC. 104. The amendments made by this title shall take effect sixty days after the date of the enactment of this Act, except that the authority of the President to appoint certain officers conferred upon him by section 3 of the National Labor Relations Act as amended by this title may be exercised forthwith.

## TITLE II—CONCILIATION OF LABOR DISPUTES IN INDUSTRIES AFFECTING COMMERCE; NATIONAL EMERGENCIES

SEC. 201. That it is the policy of the United States that—

(a) sound and stable industrial peace and the advancement of the general welfare, health, and safety of the Nation and of the best interests of employers and employees can most satisfactorily be secured by the settlement of issues between employers and employees through the processes of conference and collective bargaining between employers and the representatives of their employees;

(b) the settlement of issues between employers and employees through collective bargaining may be advanced by making available full and adequate governmental facilities for conciliation, mediation, and voluntary arbitration to aid and encourage employers and the representatives of their employees to reach and maintain agreements concerning rates of pay, hours, and working conditions, and to make all reasonable efforts to settle their differences by mutual agreement reached through conferences and collective bargaining or by such methods as may be provided for in any applicable agreement for the settlement of disputes; and

(c) certain controversies which arise between parties to collective-bargaining agreements may be avoided or minimized by making available full and adequate governmental facilities for furnishing assistance to employers and the representatives of their employees in formulating for inclusion within such agreements provision for adequate notice of any proposed changes in the

terms of such agreements, for the final adjustment of grievances or questions regarding the application or interpretation of such agreements, and other provisions designed to prevent the subsequent arising of such controversies.

SEC. 202. (a) There is hereby created an independent agency to be known as the Federal Mediation and Conciliation Service (herein referred to as the "Service", except that for sixty days after the date of the enactment of this Act such term shall refer to the Conciliation Service of the Department of Labor). The Service shall be under the direction of a Federal Mediation and Conciliation Director (hereinafter referred to as the "Director"), who shall be appointed by the President by and with the advice and consent of the Senate. The Director shall receive compensation at the rate of \$12,000 per annum. The Director shall not engage in any other business, vocation, or employment.

(b) The Director is authorized, subject to the civil-service laws, to appoint such clerical and other personnel as may be necessary for the execution of the functions of the Service, and shall fix their compensation in accordance with the Classification Act of 1923, as amended, and may, without regard to the provisions of the civil-service laws and the Classification Act of 1923, as amended, appoint and fix the compensation of such conciliators and mediators as may be necessary to carry out the functions of the Service. The Director is authorized to make such expenditures for supplies, facilities, and services as he deems necessary. Such expenditures shall be allowed and paid upon presentation of itemized vouchers therefor approved by the Director or by any employee designated by him for that purpose.

(c) The principal office of the Service shall be in the District of Columbia, but the Director may establish regional offices convenient to localities in which labor controversies are likely to arise. The Director may by order, subject to revocation at any time, delegate any authority and discretion conferred upon him by this Act to any regional director, or other officer or employee of the Service. The Director may establish suitable procedures for cooperation with State and local mediation agencies. The Director shall make an annual report in writing to Congress at the end of the fiscal year.

(d) All mediation and conciliation functions of the Secretary of Labor or the United States Conciliation Service under section 8 of the Act entitled "An Act to create a Department of Labor", approved March 4, 1913 (U. S. C., title 29, sec. 51), and all functions of the United States Conciliation Service under any other law are hereby transferred to the Federal Mediation and Conciliation Service, together with the personnel and records of the United States Conciliation Service. Such transfer shall take effect upon the sixtieth day after the date of enactment of this Act. Such transfer shall not affect any proceedings pending before the United States Conciliation Service or any certification, order, rule, or regulation theretofore made by it or by the Secretary of Labor. The Director and the Service shall not be subject in any way to the jurisdiction or authority of the Secretary of Labor or any official or division of the Department of Labor.

#### FUNCTIONS OF THE SERVICE

SEC. 203. (a) It shall be the duty of the Service, in order to prevent or minimize interruptions of the free flow of commerce growing out of labor disputes, to assist parties to labor disputes in industries affecting commerce to settle such disputes through conciliation and mediation.

(b) The Service may proffer its services in any labor dispute in any industry affecting commerce, either upon its own motion or upon the

Federal Mediation  
and Conciliation Serv-  
ice.  
Post, p. 615.

Director.

Appointment, etc.,  
of personnel.

42 Stat. 1488.  
5 U. S. C. §§ 661-674.

Expenditures.

Principal office, etc.

Delegation of au-  
thority.

Report to Congress.

Transfer of func-  
tions, etc.

37 Stat. 738.

Conciliation and  
mediation.

Proffer of services.

request of one or more of the parties to the dispute, whenever in its judgment such dispute threatens to cause a substantial interruption of commerce. The Director and the Service are directed to avoid attempting to mediate disputes which would have only a minor effect on interstate commerce if State or other conciliation services are available to the parties. Whenever the Service does proffer its services in any dispute, it shall be the duty of the Service promptly to put itself in communication with the parties and to use its best efforts, by mediation and conciliation, to bring them to agreement.

(c) If the Director is not able to bring the parties to agreement by conciliation within a reasonable time, he shall seek to induce the parties voluntarily to seek other means of settling the dispute without resort to strike, lock-out, or other coercion, including submission to the employees in the bargaining unit of the employer's last offer of settlement for approval or rejection in a secret ballot. The failure or refusal of either party to agree to any procedure suggested by the Director shall not be deemed a violation of any duty or obligation imposed by this Act.

(d) Final adjustment by a method agreed upon by the parties is hereby declared to be the desirable method for settlement of grievance disputes arising over the application or interpretation of an existing collective-bargaining agreement. The Service is directed to make its conciliation and mediation services available in the settlement of such grievance disputes only as a last resort and in exceptional cases.

Maintenance of agreements, etc., by employers and employees.

SEC. 204. (a) In order to prevent or minimize interruptions of the free flow of commerce growing out of labor disputes, employers and employees and their representatives, in any industry affecting commerce, shall—

(1) exert every reasonable effort to make and maintain agreements concerning rates of pay, hours, and working conditions, including provision for adequate notice of any proposed change in the terms of such agreements;

(2) whenever a dispute arises over the terms or application of a collective-bargaining agreement and a conference is requested by a party or prospective party thereto, arrange promptly for such a conference to be held and endeavor in such conference to settle such dispute expeditiously; and

(3) in case such dispute is not settled by conference, participate fully and promptly in such meetings as may be undertaken by the Service under this Act for the purpose of aiding in a settlement of the dispute.

National Labor-Management Panel.  
*Post*, p. 615.

SEC. 205. (a) There is hereby created a National Labor-Management Panel which shall be composed of twelve members appointed by the President, six of whom shall be selected from among persons outstanding in the field of management and six of whom shall be selected from among persons outstanding in the field of labor. Each member shall hold office for a term of three years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and the terms of office of the members first taking office shall expire, as designated by the President at the time of appointment, four at the end of the first year, four at the end of the second year, and four at the end of the third year after the date of appointment. Members of the panel, when serving on business of the panel, shall be paid compensation at the rate of \$25 per day, and shall also be entitled to receive an allowance for actual and necessary travel and subsistence expenses while so serving away from their places of residence.

Pay and allowances.

Duty.

(b) It shall be the duty of the panel, at the request of the Director, to advise in the avoidance of industrial controversies and the manner

in which mediation and voluntary adjustment shall be administered, particularly with reference to controversies affecting the general welfare of the country.

#### NATIONAL EMERGENCIES

SEC. 206. Whenever in the opinion of the President of the United States, a threatened or actual strike or lock-out affecting an entire industry or a substantial part thereof engaged in trade, commerce, transportation, transmission, or communication among the several States or with foreign nations, or engaged in the production of goods for commerce, will, if permitted to occur or to continue, imperil the national health or safety, he may appoint a board of inquiry to inquire into the issues involved in the dispute and to make a written report to him within such time as he shall prescribe. Such report shall include a statement of the facts with respect to the dispute, including each party's statement of its position but shall not contain any recommendations. The President shall file a copy of such report with the Service and shall make its contents available to the public.

Board of inquiry.  
*Post*, p. 615

Report.

SEC. 207. (a) A board of inquiry shall be composed of a chairman and such other members as the President shall determine, and shall have power to sit and act in any place within the United States and to conduct such hearings either in public or in private, as it may deem necessary or proper, to ascertain the facts with respect to the causes and circumstances of the dispute.

Members; powers.

(b) Members of a board of inquiry shall receive compensation at the rate of \$50 for each day actually spent by them in the work of the board, together with necessary travel and subsistence expenses.

Pay and expenses.

(c) For the purpose of any hearing or inquiry conducted by any board appointed under this title, the provisions of sections 9 and 10 (relating to the attendance of witnesses and the production of books, papers, and documents) of the Federal Trade Commission Act of September 16, 1914, as amended (U. S. C. 19, title 15, secs. 49 and 50, as amended), are hereby made applicable to the powers and duties of such board.

Attendance of witnesses, etc.

38 Stat. 722, 723.

SEC. 208. (a) Upon receiving a report from a board of inquiry the President may direct the Attorney General to petition any district court of the United States having jurisdiction of the parties to enjoin such strike or lock-out or the continuing thereof, and if the court finds that such threatened or actual strike or lock-out—

Enjoining of strike, etc.

(i) affects an entire industry or a substantial part thereof engaged in trade, commerce, transportation, transmission, or communication among the several States or with foreign nations, or engaged in the production of goods for commerce; and

(ii) if permitted to occur or to continue, will imperil the national health or safety, it shall have jurisdiction to enjoin any such strike or lock-out, or the continuing thereof, and to make such other orders as may be appropriate.

(b) In any case, the provisions of the Act of March 23, 1932, entitled "An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes", shall not be applicable.

47 Stat. 70.  
29 U. S. C. §§ 101-115.

(c) The order or orders of the court shall be subject to review by the appropriate circuit court of appeals and by the Supreme Court upon writ of certiorari or certification as provided in sections 239 and 240 of the Judicial Code, as amended (U. S. C., title 29, secs. 346 and 347).

36 Stat. 1157.  
28 U. S. C. §§ 346, 347.

SEC. 209. (a) Whenever a district court has issued an order under section 208 enjoining acts or practices which imperil or threaten to imperil the national health or safety, it shall be the duty of the parties to the labor dispute giving rise to such order to make every effort to



Reconvening of  
board of inquiry.

Secret ballot of em-  
ployees.

Discharge of injunc-  
tion.

Report to Congress.

adjust and settle their differences, with the assistance of the Service created by this Act. Neither party shall be under any duty to accept, in whole or in part, any proposal of settlement made by the Service.

(b) Upon the issuance of such order, the President shall reconvene the board of inquiry which has previously reported with respect to the dispute. At the end of a sixty-day period (unless the dispute has been settled by that time), the board of inquiry shall report to the President the current position of the parties and the efforts which have been made for settlement, and shall include a statement by each party of its position and a statement of the employer's last offer of settlement. The President shall make such report available to the public. The National Labor Relations Board, within the succeeding fifteen days, shall take a secret ballot of the employees of each employer involved in the dispute on the question of whether they wish to accept the final offer of settlement made by their employer as stated by him and shall certify the results thereof to the Attorney General within five days thereafter.

SEC. 210. Upon the certification of the results of such ballot or upon a settlement being reached, whichever happens sooner, the Attorney General shall move the court to discharge the injunction, which motion shall then be granted and the injunction discharged. When such motion is granted, the President shall submit to the Congress a full and comprehensive report of the proceedings, including the findings of the board of inquiry and the ballot taken by the National Labor Relations Board, together with such recommendations as he may see fit to make for consideration and appropriate action.

#### COMPILATION OF COLLECTIVE BARGAINING AGREEMENTS, ETC.

SEC. 211. (a) For the guidance and information of interested representatives of employers, employees, and the general public, the Bureau of Labor Statistics of the Department of Labor shall maintain a file of copies of all available collective bargaining agreements and other available agreements and actions thereunder settling or adjusting labor disputes. Such file shall be open to inspection under appropriate conditions prescribed by the Secretary of Labor, except that no specific information submitted in confidence shall be disclosed.

(b) The Bureau of Labor Statistics in the Department of Labor is authorized to furnish upon request of the Service, or employers, employees, or their representatives, all available data and factual information which may aid in the settlement of any labor dispute, except that no specific information submitted in confidence shall be disclosed.

#### EXEMPTION OF RAILWAY LABOR ACT

SEC. 212. The provisions of this title shall not be applicable with respect to any matter which is subject to the provisions of the Railway Labor Act, as amended from time to time.

44 Stat. 577.  
45 U. S. C. §§ 151-  
163, 181-188.

### TITLE III

#### SUITS BY AND AGAINST LABOR ORGANIZATIONS

Violation of con-  
tracts.

Acts of agents.

SEC. 301. (a) Suits for violation of contracts between an employer and a labor organization representing employees in an industry affecting commerce as defined in this Act, or between any such labor organizations, may be brought in any district court of the United States having jurisdiction of the parties, without respect to the amount in controversy or without regard to the citizenship of the parties.

(b) Any labor organization which represents employees in an industry affecting commerce as defined in this Act and any employer

whose activities affect commerce as defined in this Act shall be bound by the acts of its agents. Any such labor organization may sue or be sued as an entity and in behalf of the employees whom it represents in the courts of the United States. Any money judgment against a labor organization in a district court of the United States shall be enforceable only against the organization as an entity and against its assets, and shall not be enforceable against any individual member or his assets.

(c) For the purposes of actions and proceedings by or against labor organizations in the district courts of the United States, district courts shall be deemed to have jurisdiction of a labor organization (1) in the district in which such organization maintains its principal office, or (2) in any district in which its duly authorized officers or agents are engaged in representing or acting for employee members.

Jurisdiction of district courts.

(d) The service of summons, subpoena, or other legal process of any court of the United States upon an officer or agent of a labor organization, in his capacity as such, shall constitute service upon the labor organization.

Service of summons upon agent, etc.

(e) For the purposes of this section, in determining whether any person is acting as an "agent" of another person so as to make such other person responsible for his acts, the question of whether the specific acts performed were actually authorized or subsequently ratified shall not be controlling.

#### RESTRICTIONS ON PAYMENTS TO EMPLOYEE REPRESENTATIVES

SEC. 302. (a) It shall be unlawful for any employer to pay or deliver, or to agree to pay or deliver, any money or other thing of value to any representative of any of his employees who are employed in an industry affecting commerce.

Payment, etc., by employer.

(b) It shall be unlawful for any representative of any employees who are employed in an industry affecting commerce to receive or accept, or to agree to receive or accept, from the employer of such employees any money or other thing of value.

Acceptance, etc., by representative.

(c) The provisions of this section shall not be applicable (1) with respect to any money or other thing of value payable by an employer to any representative who is an employee or former employee of such employer, as compensation for, or by reason of, his services as an employee of such employer; (2) with respect to the payment or delivery of any money or other thing of value in satisfaction of a judgment of any court or a decision or award of an arbitrator or impartial chairman or in compromise, adjustment, settlement or release of any claim, complaint, grievance, or dispute in the absence of fraud or duress; (3) with respect to the sale or purchase of an article or commodity at the prevailing market price in the regular course of business; (4) with respect to money deducted from the wages of employees in payment of membership dues in a labor organization: *Provided*, That the employer has received from each employee, on whose account such deductions are made, a written assignment which shall not be irrevocable for a period of more than one year, or beyond the termination date of the applicable collective agreement, whichever occurs sooner; or (5) with respect to money or other thing of value paid to a trust fund established by such representative, for the sole and exclusive benefit of the employees of such employer, and their families and dependents (or of such employees, families, and dependents jointly with the employees of other employers making similar payments, and their families and dependents): *Provided*, That (A) such payments are held in trust for the purpose of paying, either from principal or income or both, for the benefit of employees, their families and dependents, for medical or hospital care, pensions on retirement or

Nonapplicability of section.

Written assignment from employee.

Payments held in trust for benefit of employees, etc.

death of employees, compensation for injuries or illness resulting from occupational activity or insurance to provide any of the foregoing, or unemployment benefits or life insurance, disability and sickness insurance, or accident insurance; (B) the detailed basis on which such payments are to be made is specified in a written agreement with the employer, and employees and employers are equally represented in the administration of such fund, together with such neutral persons as the representatives of the employers and the representatives of the employees may agree upon and in the event the employer and employee groups deadlock on the administration of such fund and there are no neutral persons empowered to break such deadlock, such agreement provides that the two groups shall agree on an impartial umpire to decide such dispute, or in event of their failure to agree within a reasonable length of time, an impartial umpire to decide such dispute shall, on petition of either group, be appointed by the district court of the United States for the district where the trust fund has its principal office, and shall also contain provisions for an annual audit of the trust fund, a statement of the results of which shall be available for inspection by interested persons at the principal office of the trust fund and at such other places as may be designated in such written agreement; and (C) such payments as are intended to be used for the purpose of providing pensions or annuities for employees are made to a separate trust which provides that the funds held therein cannot be used for any purpose other than paying such pensions or annuities.

Penalty.

(d) Any person who willfully violates any of the provisions of this section shall, upon conviction thereof, be guilty of a misdemeanor and be subject to a fine of not more than \$10,000 or to imprisonment for not more than one year, or both.

38 Stat. 737.

38 Stat. 731, 738.

47 Stat. 70.

Nonapplicability of section.

Contributions to trust funds.

(e) The district courts of the United States and the United States courts of the Territories and possessions shall have jurisdiction, for cause shown, and subject to the provisions of section 17 (relating to notice to opposite party) of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914, as amended (U. S. C., title 28, sec. 381), to restrain violations of this section, without regard to the provisions of sections 6 and 20 of such Act of October 15, 1914, as amended (U. S. C., title 15, sec. 17, and title 29, sec. 52), and the provisions of the Act entitled "An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes", approved March 23, 1932 (U. S. C., title 29, secs. 101-115).

(f) This section shall not apply to any contract in force on the date of enactment of this Act, until the expiration of such contract, or until July 1, 1948, whichever first occurs.

(g) Compliance with the restrictions contained in subsection (c) (5) (B) upon contributions to trust funds, otherwise lawful, shall not be applicable to contributions to such trust funds established by collective agreement prior to January 1, 1946, nor shall subsection (c) (5) (A) be construed as prohibiting contributions to such trust funds if prior to January 1, 1947, such funds contained provisions for pooled vacation benefits.

#### BOYCOTTS AND OTHER UNLAWFUL COMBINATIONS

Sec. 303. (a) It shall be unlawful, for the purposes of this section only, in an industry or activity affecting commerce, for any labor organization to engage in, or to induce or encourage the employees of any employer to engage in, a strike or a concerted refusal in the course of their employment to use, manufacture, process, transport,

or otherwise handle or work on any goods, articles, materials, or commodities or to perform any services, where an object thereof is—

(1) forcing or requiring any employer or self-employed person to join any labor or employer organization or any employer or other person to cease using, selling, handling, transporting, or otherwise dealing in the products of any other producer, processor, or manufacturer, or to cease doing business with any other person;

(2) forcing or requiring any other employer to recognize or bargain with a labor organization as the representative of his employees unless such labor organization has been certified as the representative of such employees under the provisions of section 9 of the National Labor Relations Act;

*Ante*, p. 143.

(3) forcing or requiring any employer to recognize or bargain with a particular labor organization as the representative of his employees if another labor organization has been certified as the representative of such employees under the provisions of section 9 of the National Labor Relations Act;

*Ante*, p. 143.

(4) forcing or requiring any employer to assign particular work to employees in a particular labor organization or in a particular trade, craft, or class rather than to employees in another labor organization or in another trade, craft, or class unless such employer is failing to conform to an order or certification of the National Labor Relations Board determining the bargaining representative for employees performing such work. Nothing contained in this subsection shall be construed to make unlawful a refusal by any person to enter upon the premises of any employer (other than his own employer), if the employees of such employer are engaged in a strike ratified or approved by a representative of such employees whom such employer is required to recognize under the National Labor Relations Act.

*Ante*, p. 136.

(b) Whoever shall be injured in his business or property by reason or any violation of subsection (a) may sue therefor in any district court of the United States subject to the limitations and provisions of section 301 hereof without respect to the amount in controversy, or in any other court having jurisdiction of the parties, and shall recover the damages by him sustained and the cost of the suit.

#### RESTRICTION ON POLITICAL CONTRIBUTIONS

SEC. 304. Section 313 of the Federal Corrupt Practices Act, 1925 (U. S. C., 1940 edition, title 2, sec. 251; Supp. V, title 50, App., sec. 1509), as amended, is amended to read as follows:

43 Stat. 1074.

"SEC. 313. It is unlawful for any national bank, or any corporation organized by authority of any law of Congress, to make a contribution or expenditure in connection with any election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, or for any corporation whatever, or any labor organization to make a contribution or expenditure in connection with any election at which Presidential and Vice Presidential electors or a Senator or Representative in, or a Delegate or Resident Commissioner to Congress are to be voted for, or in connection with any primary election or political convention or caucus held to select candidates for any of the foregoing offices, or for any candidate, political committee, or other person to accept or receive any contribution prohibited by this section. Every corporation or labor organization which makes any contribution or expenditure in violation of this section shall be fined not more than \$5,000; and every officer or director of any corporation, or officer of any labor organization, who consents to any contribution or expenditure by the corporation or labor organization, as the case may be, in violation of

Penalty.

"Labor organization."

this section shall be fined not more than \$1,000 or imprisoned for not more than one year, or both. For the purposes of this section 'labor organization' means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work."

#### STRIKES BY GOVERNMENT EMPLOYEES

SEC. 305. It shall be unlawful for any individual employed by the United States or any agency thereof including wholly owned Government corporations to participate in any strike. Any individual employed by the United States or by any such agency who strikes shall be discharged immediately from his employment, and shall forfeit his civil service status, if any, and shall not be eligible for reemployment for three years by the United States or any such agency.

### TITLE IV

#### CREATION OF JOINT COMMITTEE TO STUDY AND REPORT ON BASIC PROBLEMS AFFECTING FRIENDLY LABOR RELATIONS AND PRODUCTIVITY

Joint Committee on Labor-Management Relations.

SEC. 401. There is hereby established a joint congressional committee to be known as the Joint Committee on Labor-Management Relations (hereafter referred to as the committee), and to be composed of seven Members of the Senate Committee on Labor and Public Welfare, to be appointed by the President pro tempore of the Senate, and seven Members of the House of Representatives Committee on Education and Labor, to be appointed by the Speaker of the House of Representatives. A vacancy in membership of the committee shall not affect the powers of the remaining members to execute the functions of the committee, and shall be filled in the same manner as the original selection. The committee shall select a chairman and a vice chairman from among its members.

Study and investigation.

SEC. 402. The committee, acting as a whole or by subcommittee, shall conduct a thorough study and investigation of the entire field of labor-management relations, including but not limited to—

(1) the means by which permanent friendly cooperation between employers and employees and stability of labor relations may be secured throughout the United States;

(2) the means by which the individual employee may achieve a greater productivity and higher wages, including plans for guaranteed annual wages, incentive profit-sharing and bonus systems;

(3) the internal organization and administration of labor unions, with special attention to the impact on individuals of collective agreements requiring membership in unions as a condition of employment;

(4) the labor relations policies and practices of employers and associations of employers;

(5) the desirability of welfare funds for the benefit of employees and their relation to the social-security system;

(6) the methods and procedures for best carrying out the collective-bargaining processes, with special attention to the effects of industry-wide or regional bargaining upon the national economy;

(7) the administration and operation of existing Federal laws relating to labor relations; and

(8) such other problems and subjects in the field of labor-management relations as the committee deems appropriate.

Report to Congress.

SEC. 403. The committee shall report to the Senate and the House

of Representatives not later than March 15, 1948, the results of its study and investigation, together with such recommendations as to necessary legislation and such other recommendations as it may deem advisable, and shall make its final report not later than January 2, 1949.

SEC. 404. The committee shall have the power, without regard to the civil-service laws and the Classification Act of 1923, as amended, to employ and fix the compensation of such officers, experts, and employees as it deems necessary for the performance of its duties, including consultants who shall receive compensation at a rate not to exceed \$35 for each day actually spent by them in the work of the committee, together with their necessary travel and subsistence expenses. The committee is further authorized, with the consent of the head of the department or agency concerned, to utilize the services, information, facilities, and personnel of all agencies in the executive branch of the Government and may request the governments of the several States, representatives of business, industry, finance, and labor, and such other persons, agencies, organizations, and instrumentalities as it deems appropriate to attend its hearings and to give and present information, advice, and recommendations.

SEC. 405. The committee, or any subcommittee thereof, is authorized to hold such hearings; to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Eightieth Congress; to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents; to administer oaths; to take such testimony; to have such printing and binding done; and to make such expenditures within the amount appropriated therefor; as it deems advisable. The cost of stenographic services in reporting such hearings shall not be in excess of 25 cents per one hundred words. Subpenas shall be issued under the signature of the chairman or vice chairman of the committee and shall be served by any person designated by them.

SEC. 406. The members of the committee shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the committee, other than expenses in connection with meetings of the committee held in the District of Columbia during such times as the Congress is in session.

SEC. 407. There is hereby authorized to be appropriated the sum of \$150,000, or so much thereof as may be necessary, to carry out the provisions of this title, to be disbursed by the Secretary of the Senate on vouchers signed by the chairman.

Powers.

42 Stat. 1488.  
5 U. S. C. §§ 661-674.

Reimbursement for expenses.

Appropriation authorized.  
*Post*, p. 611.

## TITLE V

### DEFINITIONS

*Ante*, p. 137.

SEC. 501. When used in this Act—

(1) The term "industry affecting commerce" means any industry or activity in commerce or in which a labor dispute would burden or obstruct commerce or tend to burden or obstruct commerce or the free flow of commerce.

(2) The term "strike" includes any strike or other concerted stoppage of work by employees (including a stoppage by reason of the expiration of a collective-bargaining agreement) and any concerted slow-down or other concerted interruption of operations by employees.

(3) The terms "commerce", "labor disputes", "employer", "employee", "labor organization", "representative", "person", and "supervisor" shall have the same meaning as when used in the National Labor Relations Act as amended by this Act.

*Ante*, p. 136.

## SAVING PROVISION

SEC. 502. Nothing in this Act shall be construed to require an individual employee to render labor or service without his consent, nor shall anything in this Act be construed to make the quitting of his labor by an individual employee an illegal act; nor shall any court issue any process to compel the performance by an individual employee of such labor or service, without his consent; nor shall the quitting of labor by an employee or employees in good faith because of abnormally dangerous conditions for work at the place of employment of such employee or employees be deemed a strike under this Act.

## SEPARABILITY

SEC. 503. If any provision of this Act, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of this Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

JOSEPH W. MARTIN JR.

*Speaker of the House of Representatives.*

A H VANDENBERG.

*President of the Senate pro tempore.*

IN THE HOUSE OF REPRESENTATIVES, U. S.,

*June 20, 1947.*

Certificate of House  
of Representatives.

The House of Representatives having proceeded to reconsider the bill (H. R. 3020) entitled "An Act to amend the National Labor Relations Act, to provide additional facilities for the mediation of labor disputes affecting commerce, to equalize legal responsibilities of labor organizations and employers, and for other purposes," returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was

*Resolved*, That the said bill pass, two-thirds of the House of Representatives agreeing to pass the same.

Attest:

JOHN ANDREWS

*Clerk.*

Certificate of origin.

I certify that this Act originated in the House of Representatives.

JOHN ANDREWS

*Clerk.*

IN THE SENATE OF THE UNITED STATES,

*June 23 (legislative day, April 21), 1947.*

Certificate of Senate.

The Senate having proceeded to reconsider the bill (H. R. 3020) "An Act to amend the National Labor Relations Act, to provide additional facilities for the mediation of labor disputes affecting commerce, to equalize legal responsibilities of labor organizations and employers, and for other purposes", returned by the President of the United States with his objections, to the House of Representatives, in which it originated, and passed by the House of Representatives on reconsideration of the same, it was

*Resolved*, That the said bill pass, two-thirds of the Senate having voted in the affirmative.

Attest:

CARL A. LOEFFLER

*Secretary.*

## [CHAPTER 121]

## AN ACT

To provide for emergency flood-control work made necessary by recent floods, and for other purposes.

June 23, 1947  
[H. R. 3702]  
[Public Law 102]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sum of \$15,000,000 is hereby authorized to be appropriated as an emergency fund to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers for the repair, restoration, and strengthening of levees and other flood-control works which have been threatened or destroyed by recent floods, or which may be threatened or destroyed by later floods: *Provided*, That pending the appropriation of said sum, the Secretary of War may allot, from existing flood-control appropriations, such sums as may be necessary for the immediate prosecution of the work herein authorized, such appropriations to be reimbursed from the appropriation herein authorized when made: *Provided further*, That funds allotted under this authority shall not be diverted from the unobligated funds from the appropriation "Flood control, general", made available in War Department Civil Functions Appropriation Acts for specific purposes.

Appropriation au-  
thorized.  
Post, p. 187.

Allotments from  
existing appropria-  
tions.

SEC. 2. The provisions of section 1 shall be deemed to be additional and supplemental to, and not in lieu of, existing general legislation authorizing allocation of flood-control funds for restoration of flood-control works threatened or destroyed by flood.

Approved June 23, 1947.

## [CHAPTER 124]

## AN ACT

To amend the Act entitled "An Act to provide for a permanent Census Office", approved March 6, 1902, as amended (the collection and publication of statistical information by the Bureau of the Census).

June 25, 1947  
[S. 614]  
[Public Law 103]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 7 of the Act entitled "An Act to provide for a permanent Census Office", approved March 6, 1902, as amended (U. S. C., title 13, sec. 111), is amended by adding at the end of the first sentence thereof the words: "*Provided*, That where the doctrine, teaching, or discipline of any religious denomination or church prohibits the disclosure of information relative to membership, such information shall not be required."

32 Stat. 52.

Approved June 25, 1947.

## [CHAPTER 125]

## AN ACT

To regulate the marketing of economic poisons and devices, and for other purposes.

June 25, 1947  
[H. R. 1237]  
[Public Law 104]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## TITLE

SECTION 1. This Act may be cited as the "Federal Insecticide, Fungicide, and Rodenticide Act".

## DEFINITIONS

SEC. 2. For the purposes of this Act—

a. The term "economic poison" means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any insects, rodents, fungi, weeds, and other forms of plant

"Economic poison."



	or animal life or viruses, except viruses on or in living man or other animals, which the Secretary shall declare to be a pest.
"Device."	b. The term "device" means any instrument or contrivance intended for trapping, destroying, repelling, or mitigating insects or rodents or destroying, repelling, or mitigating fungi or such other pests as may be designated by the Secretary, but not including equipment used for the application of economic poisons when sold separately therefrom.
"Insecticide."	c. The term "insecticide" means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any insects which may be present in any environment whatsoever.
"Fungicide."	d. The term "fungicide" means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any fungi.
"Rodenticide."	e. The term "rodenticide" means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating rodents or any other vertebrate animal which the Secretary shall declare to be a pest.
"Herbicide."	f. The term "herbicide" means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any weed.
"Weed."	g. The term "weed" means any plant which grows where not wanted.
"Insect."	h. The term "insect" means any of the numerous small invertebrate animals generally having the body more or less obviously segmented, for the most part belonging to the class insecta, comprising six-legged, usually winged forms, as, for example, beetles, bugs, bees, flies, and to other allied classes of arthropods whose members are wingless and usually have more than six legs, as, for example, spiders, mites, ticks, centipedes, and wood lice.
"Fungi."	i. The term "fungi" means all non-chlorophyll-bearing thallophytes (that is, all non-chlorophyll-bearing plants of a lower order than mosses and liverworts) as, for example, rusts, smuts, mildews, molds, yeasts, and bacteria, except those on or in living man or other animals.
"Ingredient statement."	j. The term "ingredient statement" means either— <div style="margin-left: 2em;">(1) a statement of the name and percentage of each active ingredient, together with the total percentage of the inert ingredients, in the economic poison; or</div> <div style="margin-left: 2em;">(2) a statement of the name of each active ingredient, together with the name of each and total percentage of the inert ingredients, if any there be, in the economic poison (except option 1 shall apply if the preparation is highly toxic to man, determined as provided in section 6 of this Act);</div> and, in addition to (1) or (2) in case the economic poison contains arsenic in any form, a statement of the percentages of total and water soluble arsenic, each calculated as elemental arsenic.
	Post, p. 168.
"Active ingredient."	k. The term "active ingredient" means an ingredient which will prevent, destroy, repel, or mitigate insects, fungi, rodents, weeds or other pests.
"Inert ingredient."	l. The term "inert ingredient" means an ingredient which is not active.
"Antidote."	m. The term "antidote" means a practical immediate treatment in case of poisoning and includes first-aid treatment.
"Person."	n. The term "person" means any individual, partnership, association, corporation, or any organized group of persons whether incorporated or not.
"Territory."	o. The term "Territory" means any Territory or possession of the United States, excluding the Canal Zone.
"Secretary."	p. The term "Secretary" means the Secretary of Agriculture.
"Registrant."	q. The term "registrant" means the person registering any economic poison pursuant to the provisions of this Act.

r. The term "label" means the written, printed, or graphic matter on, or attached to, the economic poison or device or the immediate container thereof, and the outside container or wrapper of the retail package, if any there be, of the economic poison or device.

"Label."

s. The term "labeling" means all labels and other written, printed, or graphic matter—

"Labeling."

(1) upon the economic poison or device or any of its containers or wrappers;

(2) accompanying the economic poison or device at any time;

(3) to which reference is made on the label or in literature accompanying the economic poison or device, except to current official publications of the United States Departments of Agriculture and Interior, the United States Public Health Service, State experiment stations, State agricultural colleges, and other similar Federal or State institutions or agencies authorized by law to conduct research in the field of economic poisons;

t. The term "adulterated" shall apply to any economic poison if its strength or purity falls below the professed standard or quality as expressed on its labeling or under which it is sold, or if any substance has been substituted wholly or in part for the article, or if any valuable constituent of the article has been wholly or in part abstracted.

"Adulterated."

u. The term "misbranded" shall apply—

"Misbranded."

(1) to any economic poison or device if its labeling bears any statement, design, or graphic representation relative thereto or to its ingredients which is false or misleading in any particular;

(2) to any economic poison—

(a) if it is an imitation of or is offered for sale under the name of another economic poison;

(b) if its labeling bears any reference to registration under this Act;

(c) if the labeling accompanying it does not contain directions for use which are necessary and if complied with adequate for the protection of the public;

(d) if the label does not contain a warning or caution statement which may be necessary and if complied with adequate to prevent injury to living man and other vertebrate animals, vegetation, and useful invertebrate animals;

(e) if the label does not bear an ingredient statement on that part of the immediate container and on the outside container or wrapper, if there be one, through which the ingredient statement on the immediate container cannot be clearly read, of the retail package which is presented or displayed under customary conditions of purchase: *Provided*, That the Secretary may permit the ingredient statement to appear prominently on some other part of the container, if the size or form of the container makes it impracticable to place it on the part of the retail package which is presented or displayed under customary conditions of purchase.

(f) if any word, statement, or other information required by or under authority of this Act to appear on the label or labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or graphic matter in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use; or

(g) if in the case of an insecticide, fungicide, or herbicide when used as directed or in accordance with commonly recognized practice it shall be injurious to living man or other

vertebrate animals, or vegetation, except weeds, to which it is applied, or to the person applying such economic poison.

#### PROHIBITED ACTS

SEC. 3. (a) It shall be unlawful for any person to distribute, sell, or offer for sale in any Territory or in the District of Columbia, or to ship or deliver for shipment from any State, Territory, or the District of Columbia to any other State, Territory, or the District of Columbia, or to any foreign country, or to receive in any State, Territory, or the District of Columbia from any other State, Territory, or the District of Columbia, or foreign country, and having so received, deliver or offer to deliver in the original unbroken package to any other person, any of the following:

Economic poisons.

(1) Any economic poison which has not been registered pursuant to the provisions of section 4 of this Act, or any economic poison if any of the claims made for it or any of the directions for its use differ in substance from the representations made in connection with its registration, or if the composition of an economic poison differs from its composition as represented in connection with its registration: *Provided*, That in the discretion of the Secretary, a change in the labeling or formula of an economic poison may be made within a registration period without requiring reregistration of the product.

Change in labeling,  
etc., within registra-  
tion period.

(2) Any economic poison unless it is in the registrant's or the manufacturer's unbroken immediate container, and there is affixed to such container, and to the outside container or wrapper of the retail package, if there be one through which the required information on the immediate container cannot be clearly read, a label bearing—

(a) the name and address of the manufacturer, registrant, or person for whom manufactured;

(b) the name, brand, or trade-mark under which said article is sold; and

(c) the net weight or measure of the content: *Provided*, That the Secretary may permit reasonable variations.

(3) Any economic poison which contains any substance or substances in quantities highly toxic to man, determined as provided in section 6 of this Act, unless the label shall bear, in addition to any other matter required by this Act—

(a) the skull and crossbones;

(b) the word "poison" prominently (IN RED) on a background of distinctly contrasting color; and

(c) a statement of an antidote for the economic poison.

(4) The economic poisons commonly known as standard lead arsenate, basic lead arsenate, calcium arsenate, magnesium arsenate, zinc arsenate, zinc arsenite, sodium fluoride, sodium fluosilicate, and barium fluosilicate unless they have been distinctly colored or discolored as provided by regulations issued in accordance with this Act, or any other white powder economic poison which the Secretary, after investigation of and after public hearing on the necessity for such action for the protection of the public health and the feasibility of such coloration or discoloration, shall, by regulation, require to be distinctly colored or discolored, unless it has been so colored or discolored: *Provided*, That the Secretary may exempt any economic poison to the extent that it is intended for a particular use or uses from the coloring or discoloring required or authorized by this section if he determines that such coloring or discoloring for such use or uses is not necessary for the protection of the public health.

Exemption from  
coloring, etc.

(5) Any economic poison which is adulterated or misbranded or any device which is misbranded.

b. Notwithstanding any other provision of this Act, no article shall be deemed in violation of this Act when intended solely for export to any foreign country and prepared or packed according to the specifications or directions of the foreign purchaser.

Article intended solely for export.

c. It shall be unlawful—

Unlawful acts.

(1) for any person to detach, alter, deface, or destroy, in whole or in part, any label or labeling provided for in this Act or the rules and regulations promulgated hereunder, or to add any substance to, or take any substance from, an economic poison in a manner that may defeat the purpose of this Act;

(2) for any manufacturer, distributor, dealer, carrier, or other person to refuse, upon a request in writing specifying the nature or kind of economic poison or device to which such request relates, to furnish to or permit any person designated by the Secretary to have access to and to copy such records as authorized by section 5 of this Act;

(3) for any person to give a guaranty or undertaking provided for in section 7 which is false in any particular, except that a person who receives and relies upon a guaranty authorized under section 7 may give a guaranty to the same effect, which guaranty shall contain in addition to his own name and address the name and address of the person residing in the United States from whom he received the guaranty or undertaking; and

(4) for any person to use for his own advantage or to reveal, other than to the Secretary, or officials or employees of the United States Department of Agriculture, or other Federal agencies, or to the courts in response to a subpoena, or to physicians, and in emergencies to pharmacists and other qualified persons, for use in the preparation of antidotes, in accordance with such directions as the Secretary may prescribe, any information relative to formulas of products acquired by authority of section 4 of this Act.

#### REGISTRATION

SEC. 4. a. Every economic poison which is distributed, sold, or offered for sale in any Territory or the District of Columbia, or which is shipped or delivered for shipment from any State, Territory, or the District of Columbia to any other State, Territory, or the District of Columbia, or which is received from any foreign country shall be registered with the Secretary: *Provided*, That products which have the same formula, are manufactured by the same person, the labeling of which contains the same claims, and the labels of which bear a designation identifying the product as the same economic poison may be registered as a single economic poison; and additional names and labels shall be added by supplement statements; the registrant shall file with the Secretary a statement including—

Products which may be registered as a single economic poison.

(1) the name and address of the registrant and the name and address of the person whose name will appear on the label, if other than the registrant;

(2) the name of the economic poison;

(3) a complete copy of the labeling accompanying the economic poison and a statement of all claims to be made for it, including the directions for use; and

(4) if requested by the Secretary, a full description of the tests made and the results thereof upon which the claims are based.

b. The Secretary, whenever he deems it necessary for the effective administration of this Act, may require the submission of the complete formula of the economic poison. If it appears to the Secretary

Submission of complete formula.

that the composition of the article is such as to warrant the proposed claims for it and if the article and its labeling and other material required to be submitted comply with the requirements of section 3 of this Act, he shall register it.

Notification of failure to comply with Act.

c. If it does not appear to the Secretary that the article is such as to warrant the proposed claims for it or if the article and its labeling and other material required to be submitted do not comply with the provisions of this Act, he shall notify the registrant of the manner in which the article, labeling, or other material required to be submitted fail to comply with the Act so as to afford the registrant an opportunity to make the corrections necessary. If, upon receipt of such notice, the registrant insists that such corrections are not necessary and requests in writing that it be registered, the Secretary shall register the article, under protest, and such registration shall be accompanied by a warning, in writing, to the registrant of the apparent failure of the article to comply with the provisions of this Act. In order to protect the public, the Secretary, on his own motion, may at any time, cancel the registration of an economic poison and in lieu thereof issue a registration under protest in accordance with the foregoing procedure. In no event shall registration of an article, whether or not protested, be construed as a defense for the commission of any offense prohibited under section 3 of this Act.

Cancellation of registration.

Economic poisons not requiring registration.

d. Notwithstanding any other provision of this Act, registration is not required in the case of an economic poison shipped from one plant to another plant operated by the same person and used solely at such plant as a constituent part to make an economic poison which is registered under this Act.

Cancellation at end of 5 years.

e. The Secretary is authorized to cancel the registration of any economic poison at the end of a period of five years following the registration of such economic poison or at the end of any five-year period thereafter, unless the registrant, prior to the expiration of each such five-year period, requests in accordance with regulations issued by the Secretary that such registration be continued in effect.

#### BOOKS AND RECORDS

SEC. 5. For the purposes of enforcing the provisions of this Act, any manufacturer, distributor, carrier, dealer, or any other person who sells or offers for sale, delivers or offers for delivery, or who receives or holds any economic poison or device subject to this Act, shall, upon request of any employee of the United States Department of Agriculture or any employee of any State, Territory, or political subdivision, duly designated by the Secretary, furnish or permit such person at all reasonable times to have access to, and to copy all records showing the delivery, movement, or holding of such economic poison or device, including the quantity, the date of shipment and receipt, and the name of the consignor and consignee; and in the event of the inability of any person to produce records containing such information, all other records and information relating to such delivery, movement, or holding of the economic poison or device. Notwithstanding this provision, however, the specific evidence obtained under this section shall not be used in a criminal prosecution of the person from whom obtained.

#### ENFORCEMENT

Rules and regulations.

SEC. 6. a. The Secretary (except as otherwise provided in this section) is authorized to make rules and regulations for carrying out the provisions of this Act, including the collection and examination of samples of economic poisons and devices subject to this Act and the

determination and establishment of suitable names to be used in the ingredient statement. The Secretary is, in addition, authorized after opportunity for hearing—

(1) to declare a pest any form of plant or animal life or virus which is injurious to plants, man, domestic animals, articles, or substances;

(2) to determine economic poisons, and quantities of substances contained in economic poisons, which are highly toxic to man; and

(3) to determine standards of coloring or discoloring for economic poisons, and to subject economic poisons to the requirements of section 3a (4) of this Act.

b. The Secretary of the Treasury and the Secretary of Agriculture shall jointly prescribe regulations for the enforcement of section 10 of this Act.

*Post*, p. 171.

c. The examination of economic poisons or devices shall be made in the United States Department of Agriculture or elsewhere as the Secretary may designate for the purpose of determining from such examination whether they comply with the requirements of this Act, and if it shall appear from any such examination that they fail to comply with the requirements of this Act, the Secretary shall cause notice to be given to the person against whom criminal proceedings are contemplated. Any person so notified shall be given an opportunity to present his views, either orally or in writing, with regard to such contemplated proceedings, and if in the opinion of the Secretary it appears that the provisions of this Act have been violated by such person, then the Secretary shall certify the facts to the proper United States attorney, with a copy of the results of the analysis or the examination of such article: *Provided*, That nothing in this Act shall be construed as requiring the Secretary to report for prosecution or for the institution of libel proceedings minor violations of this Act whenever he believes that the public interest will be adequately served by a suitable written notice of warning.

Examination of economic poisons.

Minor violations.

d. It shall be the duty of each United States attorney, to whom the Secretary or his agents shall report any violation of this Act, to cause appropriate proceedings to be commenced and prosecuted in the proper courts of the United States without delay.

e. The Secretary shall, by publication in such manner as he may prescribe, give notice of all judgments entered in actions instituted under the authority of this Act.

Notice of judgments.

#### EXEMPTIONS

SEC. 7. a. The penalties provided for a violation of section 3a of this Act shall not apply to—

Nonapplicability of penalties.  
*Ante*, p. 166.

(1) any person who establishes a guaranty signed by, and containing the name and address of, the registrant or person residing in the United States from whom he purchased and received in good faith the article in the same unbroken package, to the effect that the article was lawfully registered at the time of sale and delivery to him, and that it complies with the other requirements of this Act, designating this Act. In such case the guarantor shall be subject to the penalties which would otherwise attach to the person holding the guaranty under the provisions of this Act;

(2) any carrier while lawfully engaged in transporting an economic poison or device if such carrier upon request by a person duly designated by the Secretary shall permit such person to copy all records showing the transactions in and movement of the articles;

(3) to public officials while engaged in the performance of their official duties;

(4) to the manufacturer or shipper of an economic poison for experimental use only by or under the supervision of any Federal or State agency authorized by law to conduct research in the field of economic poisons; or by others if a permit has been obtained before shipment in accordance with regulations promulgated by the Secretary.

#### PENALTIES

*Ante*, p. 166.

SEC. 8. a. Any person violating section 3a (1) of this Act shall be guilty of a misdemeanor and shall on conviction be fined not more than \$1,000.

*Ante*, p. 168.

b. Any person violating any provision other than section 3a (1) of this Act shall be guilty of a misdemeanor and shall upon conviction be fined not more than \$500 for the first offense, and on conviction for each subsequent offense be fined not more than \$1,000 or imprisoned for not more than one year, or both such fine and imprisonment: *Provided*, That an offense committed more than five years after the last previous conviction shall be considered a first offense: *And provided further*, That in any case where a registrant was issued a warning by the Secretary pursuant to the provisions of section 4c of this Act, he shall in each instance upon conviction for an offense concerning which he had been so warned, be fined not more than \$1,000 or imprisoned for not more than one year, or both such fine and imprisonment; and the registration of the article with reference to which the violation occurred shall terminate automatically. An article the registration of which has been terminated may not again be registered unless the article, its labeling, and other material required to be submitted appear to the Secretary to comply with all the requirements of this Act.

c. Notwithstanding any other provision of this section, in case any person, with intent to defraud, uses or reveals information relative to formulas of products acquired under the authority of section 4 of this Act, he shall be fined not more than \$10,000 or imprisoned for not more than three years, or both such fine and imprisonment.

d. When construing and enforcing the provisions of this Act, the act, omission, or failure, of any officer, agent, or other person acting for or employed by any person shall in every case be also deemed to be the act, omission, or failure of such person as well as that of the person employed.

#### SEIZURES

Interstate transportation of economic poisons, etc.

SEC. 9. a. Any economic poison or device that is being transported from one State, Territory, or District to another, or, having been transported, remains unsold or in original unbroken packages, or that is sold or offered for sale in the District of Columbia or any Territory, or that is imported from a foreign country, shall be liable to be proceeded against in any district court of the United States in the district where it is found and seized for confiscation by a process of libel for condemnation—

*Ante*, p. 167.

- (1) in the case of an economic poison—
  - (a) if it is adulterated or misbranded;
  - (b) if it has not been registered pursuant to the provisions of section 4 of this Act;
  - (c) if it fails to bear on its label the information required by this Act; or
  - (d) if it is a white powder economic poison and is not colored as required under this Act; or
- (2) in the case of a device if it is misbranded.

b. If the article is condemned it shall, after entry of the decree, be disposed of by destruction or sale as the court may direct and the proceeds, if sold, less the legal costs, shall be paid into the Treasury of the United States, but the article shall not be sold contrary to the provisions of this Act or of the laws of the jurisdiction in which it is sold: *Provided*, That upon the payment of the costs of the libel proceedings and the execution and delivery of a good and sufficient bond conditioned that the article shall not be sold or otherwise disposed of contrary to the provisions of this Act or the laws of any State, Territory, or District in which sold, the court may direct that such articles be delivered to the owner thereof. The proceedings of such libel cases shall conform, as near as may be, to the proceedings in admiralty, except that either party may demand trial by jury of any issue of fact joined in any case, and all such proceedings shall be at the suit of and in the name of the United States.

Disposition of condemned article.

Proceedings of libel cases.

c. When a decree of condemnation is entered against the article, court costs and fees, storage, and other proper expenses shall be awarded against the person, if any, intervening as claimant of the article.

Award of expenses.

#### IMPORTS

SEC. 10. The Secretary of the Treasury shall notify the Secretary of Agriculture of the arrival of economic poisons and devices offered for importation and shall deliver to the Secretary of Agriculture, upon his request, samples of economic poisons or devices which are being imported or offered for import into the United States, giving notice to the owner or consignee, who may appear before the Secretary of Agriculture and have the right to introduce testimony. If it appears from the examination of a sample that it is adulterated, or misbranded or otherwise violates the prohibitions set forth in this Act, or is otherwise dangerous to the health of the people of the United States, or is of a kind forbidden entry into or forbidden to be sold or restricted in sale in the country in which it is made or from which it is exported, the said article may be refused admission, and the Secretary of the Treasury shall refuse delivery to the consignee and shall cause the destruction of any goods refused delivery which shall not be exported by the consignee within three months from the date of notice of such refusal under such regulations as the Secretary of the Treasury may prescribe: *Provided*, That the Secretary of the Treasury may deliver to the consignee such goods pending examination and decision in the matter on execution of a penal bond for the amount of the full invoice value of such goods, together with the duty thereon, and on refusal to return such goods for any cause to the custody of the Secretary of the Treasury, when demanded, for the purpose of excluding them from the country, or for any other purpose, said consignee shall forfeit the full amount of the bond: *And provided further*, That all charges for storage, cartage, and labor on goods which are refused admission or delivery shall be paid by the owner or consignee, and in default of such payment shall constitute a lien against any future importation made by such owner or consignee.

Notification of arrival of economic poisons, etc.

Delivery of goods to consignee pending examination, etc.

Charges for storage, etc.

#### DELEGATION OF DUTIES

SEC. 11. All authority vested in the Secretary by virtue of the provisions of this Act may with like force and effect be executed by such employees of the United States Department of Agriculture as the Secretary may designate for the purpose.



## AUTHORIZATION FOR APPROPRIATIONS AND EXPENDITURES

*Post*, pp. 545, 618.

36 Stat. 331,  
7 U. S. C. §§ 121-134.  
*Infra*.

SEC. 12. a. There is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be necessary for the purposes and administration of this Act. In order to carry out the provisions of this Act, which take effect prior to the repeal of the Insecticide Act of 1910, appropriations available for the enforcement of such Act are authorized to be made available.

b. The Secretary is authorized from the funds appropriated for this Act to make such expenditures as he deems necessary, including rents, travel, supplies, books, samples, testing devices, furniture, equipment, and such other expenses as may be necessary to the administration of this Act.

## COOPERATION

SEC. 13. The Secretary is authorized to cooperate with any other department or agency of the Federal Government and with the official agricultural or other regulatory agency of any State, or any State, Territory, District, possession, or any political subdivision thereof, in carrying out the provisions of this Act, and in securing uniformity of regulations.

## SEPARABILITY

SEC. 14. If any provision of this Act is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of this Act and the applicability thereof to other persons and circumstances shall not be affected thereby.

## EFFECTIVE DATE

*Ante*, pp. 166, 170,  
171.

*Exemption*.

*Infra*.

SEC. 15. All provisions of this Act, except section 3, "Prohibited Acts"; section 8, "Penalties"; section 9, "Seizures"; and section 10, "Imports", shall take effect upon enactment, and sections 3, 8, 9, and 10 of this Act shall take effect as follows: (1) As to devices, upon enactment; (2) as to rodenticides and herbicides, six months after enactment; and (3) as to insecticides, fungicides, and all other economic poisons, one year after enactment: *Provided*, That the Secretary, upon application, may at any time within one year after sections 3, 8, 9, and 10 of this Act become applicable to devices, rodenticides and herbicides, and insecticides, fungicides, and other economic poisons, respectively, if he determines that such action will not be unduly detrimental to the public interest, and is necessary to avoid hardship, exempt, under such terms and conditions as he may prescribe, any economic poison from the provisions of this Act if such economic poison was labeled, shipped, and delivered by the manufacturer thereof prior to the time the sections of this Act referred to above become applicable to such economic poison and in case the economic poison is an insecticide or fungicide if its sale, delivery, or shipment has not been and will not be in violation of the provisions of the Insecticide Act of 1910.

## REPEALS

Insecticide Act of  
1910.

SEC. 16. The Insecticide Act of 1910, approved April 26, 1910 (36 Stat. 331, 7 U. S. C. 121-134), is hereby repealed one year after the date of the enactment of this Act: *Provided*, That, with respect to violations, liabilities incurred, or appeals taken prior to said date, and with respect to sales, shipments, or deliveries of insecticides and fungicides under an exemption granted by the Secretary under section 15, all provisions of the Insecticide Act of 1910 shall be deemed to remain in full force for the purpose of sustaining

any proper suit, action, or other proceeding with respect to any such violations, liabilities, appeals, or to such sales, shipments, or deliveries of insecticides and fungicides exempted by the Secretary under section 15.

Approved June 25, 1947.

## [CHAPTER 126]

## AN ACT

To authorize the Secretary of the Interior to convey certain lands within the Shiloh National Military Park, Tennessee, and for other purposes.

June 25, 1947  
[H. R. 2207]  
[Public Law 105]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is authorized, in his discretion, and under such terms and conditions as he may deem necessary, to convey, without consideration, to W. A. Shaw and E. L. Shaw, or nominees, the following-described lands within Shiloh National Military Park in Hardin County in the State of Tennessee: Beginning at a point from which the intersection of Shiloh National Military Park boundary between boundary corners numbered 228 and 229 with center line of Confederate Road bears south eight degrees fifty-seven minutes east, eighty and thirty-seven one-hundredths feet (said intersection bears north eighty-eight degrees ten minutes fourteen seconds west, one thousand one hundred and thirty-one and eighty-nine one-hundredths feet from boundary corner numbered 228); thence north twenty-nine degrees thirty-one minutes west, three hundred and twenty-six feet; thence south seventy-six degrees nineteen minutes east, three hundred and thirty-seven and fifty-four one-hundredths feet; and thence running sixty feet from and parallel to center line of Confederate Road south thirty-nine degrees twenty minutes west, two hundred and sixty-three and forty-six one-hundredths feet to the point of beginning. The tract as described contains approximately ninety-two one-hundredths acre.

Shiloh National  
Military Park, Tenn.  
Conveyance.

SEC. 2. For the purpose of consolidating Federal holdings within the park, the Secretary of the Interior is authorized, in his discretion and under such terms and conditions as he may deem necessary, to accept any non-Federal real or personal property within the authorized boundaries of the park. In exchange for such properties, he may, in his discretion, convey to the grantors of such properties any Federally owned lands or interests in lands within the authorized boundaries of the park which are of approximately equal value, as determined by the Secretary, to the properties being acquired in each case.

Acceptance of non-  
Federal property.

Approved June 25, 1947.

## [CHAPTER 127]

## AN ACT

To authorize the patenting of certain public lands to the State of Montana or to the Board of County Commissioners of Hill County, Montana, for public-park purposes.

June 25, 1947  
[H. R. 2353]  
[Public Law 106]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is authorized and directed, upon payment of a price set by him through appraisal or otherwise, to convey by patent to the State of Montana or to the Board of County Commissioners of Hill County, Montana, the following-described public lands located in Hill County, Montana: South half south half section 23, east half southeast quarter section 25, southeast quarter southeast quarter, northwest

Public lands in Hill  
County, Mont.  
Conveyance.

quarter southeast quarter, northeast quarter northeast quarter, west half northeast quarter, east half northwest quarter, northwest quarter northwest quarter section 26, township 31 north, range 15 east; west half, northeast quarter, west half southeast quarter section 4, east half southeast quarter section 5, east half northeast quarter section 8, south half, northwest quarter, west half northeast quarter section 9, all sections 16 and 21, northwest quarter, west half southwest quarter section 22, all sections 28 and 33, west half section 34, township 29 north, range 16 east; all section 5, northeast quarter section 6, east half, east half west half section 8, west half west half section 9, west half section 16, east half, east half northwest quarter section 17, east half east half section 20, west half, west half east half section 21, southeast quarter southeast quarter, southwest quarter southwest quarter, north half south half, north half section 28, south half south half, northeast quarter southeast quarter, east half northeast quarter section 33, township 30 north, range 16 east; south half, northwest quarter, southwest quarter northeast quarter section 31, southwest quarter section 32, township 31 north, range 16 east, principal meridian, Montana, containing nine thousand two hundred and fifty-three and forty-eight one-hundredths acres: *Provided*, That payment for the lands may be made in equal annual installments over a period of not to exceed ten years, the payment of the second and subsequent installments to be due on the corresponding anniversary dates of the first payment made under this Act: *Provided further*, That interest at the rate of 3 per centum per annum shall also be paid for the period for which an installment which has become due continues in default: *And provided further*, That no patent shall issue until all payments have been made, but until patent issues the Department of the Interior by a use permit may authorize the use of the lands for park or recreational purposes.

**Payment.**

**Interest.**

**Reservation of minerals.**

SEC. 2. The patent conveying the lands described in the first section of this Act shall provide that all minerals, including oil and gas, shall be reserved to the United States together with the right to prospect for, mine, and remove the same, under regulations to be prescribed by the Secretary of the Interior.

Approved June 25, 1947.

# [CHAPTER 128]

## AN ACT

June 25, 1947  
[H. R. 2852]  
[Public Law 107]

To provide for the addition of certain surplus Government lands to the Otter Creek Recreational Demonstration Area, in the State of Kentucky.

Otter Creek Recreational Demonstration Area, Ky.  
Addition of surplus Federal lands.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following-described tracts of surplus Federal lands, comprising three hundred and ninety-four and five-tenths acres, are hereby made a part of the Otter Creek Recreational Demonstration Area, in the State of Kentucky, subject to all laws relating to such recreational demonstration project areas, without transfer of funds:

Tract A-57, William L. Carr: Grantee, United States Government; grantor, William L. Carr and Rosa Lee Carr (wife); thirty-one and seventy-one one-hundredths acres, more or less; recorded in deed book numbered 72, page numbered 602, August 25, 1942.

Tract A-73, T. L. Crutcher: Grantee, United States Government; grantor, T. L. Crutcher; fifteen and six-tenths acres, more or less; recorded in deed book numbered 74, page numbered 188, September 11, 1943.

Tract A-74, T. L. Crutcher: Grantee, United States Government; grantor, T. L. Crutcher; six and one-tenth acres, more or less; recorded in deed book numbered 74, page numbered 188, September 11, 1943.

Tract A-75, T. L. Crutcher: Grantee, United States Government; grantor, T. L. Crutcher; seven and seven-tenths acres, more or less; recorded in deed book numbered 74, page numbered 188, September 11, 1943.

Tract A-124, J. C. Hawkins: Grantee, United States Government; grantor, J. C. Hawkins and Lula Hawkins, wife; five and fifty-four one-hundredths acres, more or less; recorded in deed book numbered 71, page numbered 400, September 23, 1941.

Tract A-170, V. L. Leonard: Grantee, United States Government; grantor, Irene Leonard (otherwise known as Mrs. V. L. Leonard, widow); forty-nine one-hundredths acre, more or less; recorded in deed book numbered 73, page numbered 476, September 25, 1941.

Tract A-230, Gus Otterson: Grantee, United States Government; grantor, Gus Otterson and Rosie Otterson, wife; one and two-tenths acres, more or less; recorded in deed book numbered 73, page numbered 483, March 20, 1943.

Tract A-231, Gus Otterson: Grantee, United States Government; grantor, Gus Otterson and Rosie Otterson, wife; thirteen and sixty-eight one-hundredths acres, more or less; recorded in deed book numbered 73, page numbered 483, March 20, 1943.

Tract A-249, Jesse Lee Poole: Grantee, United States Government; grantor, Jesse Lee Poole and Elizabeth Poole, wife; fifty and two-tenths acres, more or less; recorded in deed book numbered 72, page numbered 169, February 24, 1942.

Tract A-258, Rock Haven Baptist Church: Grantee, United States Government; grantor, J. C. Hawkins, trustee, Rock Haven Baptist Church; two acres, more or less; recorded in deed book numbered 71, page numbered 524, November 7, 1941.

Tract A-271, Joe Seelye: Grantee, United States Government; grantor, Joe Seelye and Dora Seelye, wife; seventy-two and twenty-five one-hundredths acres, more or less; recorded in deed book numbered 73, page numbered 151, October 31, 1942.

Tract A-318, Burrell Van Buren: Grantee, United States Government; grantor, Burrell Van Buren and Olive Van Buren, wife; eighty-two and fifty-five one-hundredths acres, more or less; recorded in deed book numbered 73, page numbered 255, December 5, 1942.

That part of tract A-346 lying north and west of Otter Creek, J. Hood Withers: Grantee, United States Government; grantor, J. Hood Withers and Julia K. Withers (wife), Mrs. Molly Henry (widow), Mrs. Ina Withers (widow), Mrs. Kate Warren (widow); two parcels totaling one hundred and one and eighty-five one-hundredths acres, more or less; recorded in deed book numbered 73, page numbered 611, May 1, 1943.

Tract A-353, Burrell Van Buren: Grantee, United States Government; grantor, Burrell Van Buren and Olive Van Buren (wife); three and six-tenths acres, more or less; recorded in deed book numbered 73, page numbered 255, December 5, 1942.

The deed books referred to in the foregoing tract descriptions are contained in the office of the clerk of court, Meade County, Brandenburg, Kentucky.

Deed books;

Approved June 25, 1947.

## [CHAPTER 129]

## AN ACT

June 25, 1947  
[H. R. 3151]  
[Public Law 108]

Las Vegas, Nev.  
Conveyance.

To grant a certain water right and a certain parcel of land in Clark County, Nevada, to the city of Las Vegas, Nevada.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior be, and he is hereby, authorized and directed to donate and convey, subject to such conditions and reservations as he deems needful to protect the interests of the United States in adjacent lands, to the city of Las Vegas, a municipal corporation within the county of Clark, State of Nevada, all the right, title, and interest of the United States to a water right and certain lands in lot 1 and the west half of the northeast quarter of the northwest quarter of section 30, township 20 south, range 61 east, of the Mount Diablo meridian, Clark County, Nevada, the said lands being described by metes and bounds as follows: Beginning at corner 1, the southwest corner of said lot 1; thence north, with part of the west boundary thereof, eight hundred and twelve and forty-six one-hundredths feet to corner 2; thence north eighty-nine degrees twenty-three minutes forty-five seconds east, passing within said lot 1 seven hundred and eighty-three and forty-two one-hundredths feet to corner 3; thence north thirteen degrees forty-one minutes east five hundred and twenty-three and thirty-eight one-hundredths feet to corner 4, in the north boundary of said section 30; thence north eighty-nine degrees twenty-three minutes forty-five seconds east, with part of said north boundary of said section, one thousand one hundred and thirteen and forty-two one-hundredths feet to corner 5, the northeast corner of the said west half northeast quarter northwest quarter; thence south no degree twenty-eight minutes three seconds west, with the east boundary of said subdivision, one thousand three hundred and twenty and sixty-six one-hundredths feet to corner 6, the southeast corner of said west half northeast quarter northwest quarter; thence south eighty-nine degrees twenty-five minutes thirty-one seconds west, with the north sixteenth line of said section 30, two thousand and nine and seventy one-hundredths feet to the place of beginning, containing forty-nine and ninety-three one-hundredths acres, more or less; also water permit numbered 9940 from the State Engineer of the State of Nevada, approving the appropriation of water from the Las Vegas Artesian Basin.

Approved June 25, 1947.

## [CHAPTER 130]

## AN ACT

June 25, 1947  
[H. R. 3197]  
[Public Law 109]

To authorize the Secretary of the Interior to contract with the Mancos Water Conservancy District increasing the reimbursable construction cost obligation of the district to the United States for construction of the Mancos project and extending the repayment period.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is authorized to enter into a contract amending that certain contract between the Mancos Water Conservancy District and the United States dated July 20, 1942, to provide that the reimbursable construction cost obligation of the district to the United States for construction of the Mancos project will be increased from \$600,000 to \$900,000, and that the period of repayment of this obligation will be extended from forty years to sixty years.

Approved June 25, 1947.

## [CHAPTER 141]

## AN ACT

To provide for the protection of forests against destructive insects and diseases, and for other purposes.

June 25, 1947

[S. 597]

[Public Law 110]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to protect and preserve forest resources of the United States from ravages of bark beetles, defoliators, blights, wilts, and other destructive forest insect pests and diseases, and thereby enhance the growth and maintenance of forests, promote the stability of forest-using industries and employment associated therewith, aid in fire control by reducing the menace created by dying and dead trees injured or killed by insects or disease, conserve forest cover on watersheds, and protect recreational and other values of forests, it shall be the policy of the Government of the United States independently and through cooperation with the governments of States, Territories, and possessions, and private timber owners to prevent, retard, control, suppress, or eradicate incipient, potential, or emergency outbreaks of destructive insects and diseases on, or threatening, all forest lands irrespective of ownership.

Forest Pest Control Act.

SEC. 2. The Secretary of Agriculture is authorized either directly or in cooperation with other departments of the Federal Government, with any State, Territory, or possession, organization, person, or public agency, subject to such conditions as he may deem necessary and using such funds as have been, or may hereafter be, made available for these purposes, to conduct surveys on any forest lands to detect and appraise infestations of forest insect pests and tree diseases, to determine the measures which should be applied on such lands, in order to prevent, retard, control, suppress, or eradicate incipient, threatening, potential, or emergency outbreaks of such insect or disease pests, and to plan, organize, direct, and carry out such measures as he may deem necessary to accomplish the objectives and purposes of this Act: *Provided*, That any operations planned to prevent, retard, control, or suppress insects or diseases on forest lands owned, controlled, or managed by other agencies of the Federal Government shall be conducted with the consent of the agency having jurisdiction over such land.

Surveys.

Consent of Federal agency to conduct preventive operations, etc.

SEC. 3. The Secretary of Agriculture may, in his discretion and out of any money made available pursuant to this Act, make allocations to Federal agencies having jurisdiction over lands held or owned by the United States in such amounts as he may deem necessary to retard, control, suppress, or eradicate injurious insect pests or plant diseases affecting forests on said lands.

Allocations.

SEC. 4. No money appropriated to carry out the purposes of this Act shall be expended to prevent, retard, control, or suppress insect or disease pests on forest lands owned by persons, associations, corporations, States, Territories, possessions, or subdivisions thereof until such contributions toward the work as the Secretary may require have been made or agreed upon in the form of funds, services, materials, or otherwise.

Restriction on expenditures.

SEC. 5. There are hereby authorized to be appropriated for the purposes of this Act such sums as the Congress may from time to time determine to be necessary. Any sums so appropriated shall be available for necessary expenses, including the employment of persons and means in the District of Columbia and elsewhere, printing and binding, and the purchase, maintenance, operation, and exchange of passenger-carrying vehicles; but such sums shall not be used to pay the cost or value of any property injured or destroyed. Materials and equipment necessary to control, suppress, or eradicate infestations of forest insects or tree diseases may be procured without regard to the provisions of section 3709 of the Revised Statutes (41 U. S. C. 5)

Appropriation authorized.

Procurement of materials.

under such procedures as may be prescribed by the Secretary of Agriculture, when deemed necessary in the public interest.

Sec. 6. The provisions of this Act are intended to supplement, and shall not be construed as limiting or repealing, existing legislation.

Short title.

Sec. 7. This Act may be cited as the "Forest Pest Control Act".

Approved June 25, 1947.

[CHAPTER 142]

JOINT RESOLUTION

June 25, 1947  
[H. J. Res. 188]  
[Public Law 111]

Authorizing the erection on public grounds in the city of Washington, District of Columbia, of a memorial to the dead of the First Infantry Division, United States Forces, World War II.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is authorized and directed to grant the Memorial Association of the First Infantry Division, United States Army, permission to erect on public grounds of the United States in the city of Washington, District of Columbia, adjacent to the monument to the dead of the First Infantry Division, American Expeditionary Forces in World War I, a monument to the dead of the First Infantry Division, United States Forces in World War II; the site chosen and the design of the monument and pedestal shall be approved by the Joint Committee of Congress on the Library with the advice and recommendations of the National Commission of Fine Arts, and the United States shall be put to no expense in or by the erection of this memorial.

Approved June 25, 1947.

[CHAPTER 143]

JOINT RESOLUTION

June 25, 1947  
[H. J. Res. 210]  
[Public Law 112]

To extend the time for the release, free of estate and gift tax, of certain powers, and for other purposes.

Revenue Act, 1942,  
amendments.  
56 Stat. 944, 952; 60  
Stat. 229.  
26 U. S. C. §§ 811,  
812, 826, 861 notes,  
1000 note.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 403 (d) (3) of the Revenue Act of 1942 (relating to the release of certain powers of appointment) is hereby amended by striking out "July 1, 1947" wherever it appears and inserting in lieu thereof "July 1, 1948"; and section 452 (c) of the Revenue Act of 1942 is hereby amended to read as follows:

"(c) RELEASE BEFORE JULY 1, 1948.—

"(1) A release of a power to appoint before July 1, 1948, shall not be deemed a transfer of property by the individual possessing such power.

"(2) This subsection shall apply to all calendar years prior to 1948 and to that part of the calendar year 1948 prior to July 1, 1948."

58 Stat. 71.  
26 U. S. C. § 1000 (e).

SEC. 2. (a) Section 1000 (e) of the Internal Revenue Code (relating to certain discretionary trusts) is hereby amended by striking out "prior to January 1, 1945," and inserting in lieu thereof "on or before December 31, 1947 (or on a later date in any case where it is shown to the satisfaction of the Commissioner, in accordance with regulations prescribed by him with the approval of the Secretary, that failure to relinquish prior to such later date was for reasonable cause)".

Overpayment of  
gift tax.

(b) If any amount paid prior to the date of the enactment of this joint resolution constitutes an overpayment of gift tax solely by

reason of the amendment made by this section, no interest shall be allowed or paid with respect to the amount of such overpayment.

SEC. 3. The last sentence of section 22 (b) (9) and the last sentence of section 22 (b) (10) of the Internal Revenue Code (relating to exclusion of income from discharge of indebtedness) are hereby amended by striking out "1947" and inserting in lieu thereof "1949".

Approved June 25, 1947.

60 Stat. 749.  
26 U. S. C. § 22 (b)  
(9), (10).

[CHAPTER 144]

AN ACT

To amend section 115 of the Internal Revenue Code in respect of distributions by personal holding companies.

June 25, 1947  
[H. R. 468]  
[Public Law 113]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the last sentence of section 115 (a) of the Internal Revenue Code is amended to read as follows: "In the case of a corporation which, under the law applicable to the taxable year in which the distribution is made, is a personal holding company, or which, for the taxable year in respect of which the distribution is made under section 504 (c) or section 506 or a corresponding provision of a prior income-tax law, is a personal holding company under the law applicable to such taxable year, such term also means any distribution (whether or not a dividend as defined in the preceding sentence) to its shareholders, whether in money or in other property, to the extent of its subchapter A net income, less the sum of the following:

Internal Revenue  
Code, amendment.  
56 Stat. 895.  
26 U. S. C. § 115 (a).

53 Stat. 107, 108.  
26 U. S. C. §§ 504(c),  
506.

"(1) The net operating loss credit provided in section 26 (c) (1);  
"(2) The dividend carry-over provided in section 27 (c); and  
"(3) The deduction for amounts for retirement of indebtedness provided in section 504 (b)."

53 Stat. 19.  
26 U. S. C. § 26 (c)(1)  
53 Stat. 20.  
26 U. S. C. § 27 (c).  
53 Stat. 107.  
26 U. S. C. § 504 (b).

SEC. 2. The amendment made by section 1 shall be effective for all taxable years beginning after December 31, 1943.

SEC. 3. No interest shall be allowed or paid in respect of any overpayment of tax resulting from the foregoing amendment.

Approved June 25, 1947.

[CHAPTER 145]

AN ACT

To authorize payment of allowances to three inspectors of the Metropolitan Police force for the use of their privately owned motor vehicles, and for other purposes.

June 25, 1947  
[H. R. 1624]  
[Public Law 114]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Commissioners of the District of Columbia are hereby authorized to allow not more than three inspectors of the Metropolitan Police force an allowance for privately owned automobiles used by the inspectors in the performance of official duties at not to exceed \$480 per annum for each automobile used during the fiscal years 1945 and 1946 and thereafter to pay to not more than three inspectors of the Metropolitan Police force who may be called upon to use privately owned automobiles in the performance of official duties for each automobile an allowance not to exceed \$480 per annum.

Approved June 25, 1947.



## [CHAPTER 146]

## AN ACT

June 25, 1947  
[H. R. 2368]  
[Public Law 115]

To amend paragraph 8 of part VII, Veterans Regulation Numbered 1 (a), as amended, to authorize an appropriation of \$3,000,000 as a revolving fund in lieu of \$1,500,000 now authorized, and for other purposes.

57 Stat. 44.  
38 U. S. C. note foll.  
§ 739, p. 4269.

Vocational rehabilitation.  
Appropriation authorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That paragraph 8 of part VII, Veterans Regulation Numbered 1 (a), as amended, is hereby amended to read as follows:

"8. There is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, available immediately and until expended, the sum of \$3,000,000, to be utilized by the Veterans' Administration under such rules and regulations as the Administrator may prescribe, as a revolving fund for the purpose of making advancements, not exceeding \$100 in any case, to persons commencing or undertaking courses of vocational rehabilitation under this part, and advancement to bear no interest and to be reimbursed in such installments as may be determined by the Administrator by proper deductions from any future payments of compensation, pension, or retirement pay."

Approved June 25, 1947.

## [CHAPTER 147]

## AN ACT

June 25, 1947  
[H. R. 2872]  
[Public Law 116]

To amend further section 4 of the Public Debt Act of 1941, as amended, and clarify its application, and for other purposes.

Public Debt Act of  
1941, amendment.

55 Stat. 9; 56 Stat.  
190.  
31 U. S. C. § 742a.

Taxation of obligations.

56 Stat. 189.  
31 U. S. C. §§ 742a,  
754b, 754b, 757b; 39  
U. S. C. § 756a.

Exceptions.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 4 of the Public Debt Act of 1941 (Public, Numbered 7, Seventy-seventh Congress, first session), as amended by section 6 of the Public Debt Act of 1942 (Public, Numbered 510, Seventy-seventh Congress, second session), hereby is amended further to read as follows:

"SEC. 4. (a) Interest upon obligations, and dividends, earnings, or other income from shares, certificates, stock, or other evidences of ownership, and gain from the sale or other disposition of such obligations and evidences of ownership issued on or after the effective date of the Public Debt Act of 1942 by the United States or any agency or instrumentality thereof shall not have any exemption, as such, and loss from the sale or other disposition of such obligations or evidences of ownership shall not have any special treatment, as such, under the Internal Revenue Code, or laws amendatory or supplementary thereto; except that any such obligations which the United States Maritime Commission or the Federal Housing Administration had, prior to March 1, 1941, contracted to issue at a future date, shall when issued bear such tax-exemption privileges as were, at the time of such contract, provided in the law authorizing their issuance. For the purposes of this subsection a Territory, a possession of the United States, and the District of Columbia, and any political subdivision thereof, and any agency or instrumentality of any one or more of the foregoing, shall not be considered as an agency or instrumentality of the United States.

"(b) The provisions of this section shall, with respect to such obligations and evidences of ownership, be considered as amendatory of and supplementary to the respective Acts or parts of Acts authorizing the issuance of such obligations and evidences of ownership, as amended and supplemented.

"(c) Nothing contained herein shall be construed to amend or repeal sections 114 and 115 of the Revenue Act of 1941."

Approved June 25, 1947.

55 Stat. 697, 698.  
26 U. S. C. §§ 42,  
117.

## [CHAPTER 148]

## AN ACT

To authorize the construction, operation, and maintenance of the Paonia Federal reclamation project, Colorado.

June 25, 1947  
[H. R. 3143]  
[Public Law 117]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior through the Bureau of Reclamation is hereby authorized to construct, maintain, and operate, pursuant to the Federal reclamation laws, the Paonia project, Colorado, substantially in accordance with the report of the regional director of the Bureau of Reclamation, region IV, dated January 2, 1946, as concurred in by the Commissioner of Reclamation and the Secretary of the Interior: *Provided*, That, notwithstanding any recommendations to the contrary contained in said report, all costs allocated to irrigation shall be reimbursable under the Federal reclamation laws within repayment periods fixed by the Secretary of the Interior at not to exceed sixty-eight years.

Paonia project,  
Colo.  
Construction, etc.

Costs allocated to  
irrigation.

SEC. 2. Unexpended balances of sums heretofore appropriated for the Paonia project, Colorado, authorized by finding of feasibility of the Secretary of the Interior approved by the President on March 18, 1939, are hereby made immediately available for expenditure on the Paonia project hereby authorized.

Availability of  
funds.

SEC. 3. There are hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such additional sums as may be required for the purposes of this Act.

Appropriation au-  
thorized.

Approved June 25, 1947.

## [CHAPTER 149]

## AN ACT

To authorize the Secretary of War to permit the delivery of water from the District of Columbia and Arlington County water systems to the Falls Church or other water systems in the metropolitan area of the District of Columbia in Virginia.

June 26, 1947  
[H. R. 310]  
[Public Law 118]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War, on the recommendation of the Chief of Engineers, United States Army, and the Board of Commissioners of the District of Columbia, is hereby authorized in his discretion, upon request of the town council of the town of Falls Church, Fairfax County, Virginia, or any other competent State or local authority in the Washington metropolitan area in Virginia, to permit the delivery of water from the District of Columbia water system at the Dalecarlia Filtration Plant, or at other points on said water system to the Falls Church water system for the purpose of supplying water for the use of said town and such adjacent areas as are now or shall hereafter be served by the water system of said town; or to any other competent State or local authority in said metropolitan area in Virginia. The Secretary of War is hereby further authorized, in his discretion and upon the recommendation of the Chief of Engineers, and said Board of Commissioners, to permit the delivery of such water through the water mains of Arlington County by a connection to Arlington mains at the southerly end of Chain Bridge, or to make connections with the Arlington County water system at one or more points along the boundary line of Arlington County: *Provided*, That all expense of installing any such connection or connections or other appurtenances and any subsequent changes therein shall be borne by said town of Falls Church, or such other communities of said metropolitan area requesting such services: *Provided further*, That all payments for water taken

Falls Church, Va.  
Delivery of water  
from D. C. water  
system.

Expense of install-  
ing connections, etc.

Payments for water.

directly from the mains of the water supply system of the District of Columbia at the Dalecarlia Filtration Plant, or from other points on said water system, shall be made at such time and in such manner as the Secretary of War and said Board of Commissioners may prescribe; all such payments to be deposited in the Treasury of the United States as other water rents now collected in the District of Columbia are now deposited, but for water as may be supplied through the water mains of Arlington County, as hereinabove authorized, such payments shall be made by said Arlington County in the same manner as payments for water supplied for the use of said Arlington County: *Provided further*, That payment for water delivered to communities in said metropolitan area from or through the water mains of Arlington County shall be made to said county as may be mutually arranged on an equitable basis and as approved by the Secretary of War and said Board of Commissioners: *And provided further*, That the Secretary of War, directly or upon the request of the Board of Commissioners, may revoke at any time any permit for the use of said water that may have been granted.

Revocation of permit.

Right to investigate distribution systems.

Authority to acquire lands, etc.

Sec. 2. That the Secretary of War, through the Chief of Engineers, shall have the right at all times to investigate the distribution systems of any community outside the District of Columbia supplied with water from the said District of Columbia water system and if, in his opinion, there is an excessive wastage of water, he shall have the right to curtail the supply to said communities to the amount of such wastage.

Sec. 3. The Secretary of War or the said Board of Commissioners is hereby authorized to acquire by purchase or condemnation all necessary lands, easements, and rights-of-way for pipe lines within the District of Columbia, needed for the purposes of this Act.

Approved June 26, 1947.

## [CHAPTER 150]

## AN ACT

June 26, 1947  
[H. R. 1344]  
[Public Law 119]

To admit the American-owned ferry Crosline to American registry and to permit its use in coastwise trade.

41 Stat. 999.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, notwithstanding the provisions of section 27 of the Merchant Marine Act, 1920, as amended (U. S. C., 1940 edition, title 46, sec. 883), the ferry Crosline, owned by the State of Washington, shall be admitted to American registry, and shall be entitled to engage in the coastwise trade and to transport passengers and merchandise between points in the United States, including Districts, Territories, and possessions thereof embraced within the coastwise laws.

Approved June 26, 1947.

## [CHAPTER 152]

## AN ACT

June 26, 1947  
[S. 1230]  
[Public Law 120]

To amend section 2 (a) of the National Housing Act, as amended.

49 Stat. 1187; 57  
Stat. 571.  
12 U. S. C. § 1703 (a).

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 2 (a) of the National Housing Act, as amended, is hereby amended by striking out in the first sentence "1947" and inserting "1949".

Approved June 26, 1947.

## [CHAPTER 153]

## AN ACT

To declare the policy of the United States with respect to the allocation of costs of construction of the Coachella Division of the All-American Canal irrigation project, California.

June 26, 1947  
[H. R. 3348]  
[Public Law 121]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the language in the appropriation Act of July 1, 1946, of the Department of the Interior for the fiscal year ending June 30, 1947 (Public Law 478, Seventy-ninth Congress) for the Bureau of Reclamation under the caption:

60 Stat. 368.

“Boulder Canyon project (All-American Canal): For continuation of construction of a diversion dam, and main canal (and appurtenant structures including distribution and drainage systems) located entirely within the United States connecting the diversion dam with the Imperial and Coachella Valleys in California;”;  
is hereby revised to read:

“Boulder Canyon project (All-American Canal): For continuation of construction of a diversion dam, and main canal (and appurtenant structures) located entirely within the United States connecting the diversion dam with the Imperial and Coachella Valleys in California, and distribution and drainage systems;”;  
and this revision shall apply with equal force to all prior appropriation Acts for the Department of the Interior and to the Act for the fiscal year 1948 in which this same language appears for the Bureau of Reclamation.

Post, p. 476.

Approved June 26, 1947.

## [CHAPTER 156]

## AN ACT

Making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes.

June 27, 1947  
[H. R. 3791]  
[Public Law 122]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1947, and for other purposes, namely:

Second Urgent Deficiency Appropriation Act, 1947.  
*Ante*, p. 118.

## LEGISLATIVE BRANCH

## HOUSE OF REPRESENTATIVES

For payment to Marcia Marie Bradley, widow of Fred Bradley, late a Representative from the State of Michigan, \$12,500.

## CONTINGENT EXPENSES OF THE HOUSE

Special and select committees: For an additional amount, fiscal year 1947, for “Special and select committees”, \$50,000.

60 Stat. 397.

Telegraph and telephone: For an additional amount, fiscal year 1947, for “Telegraph and telephone”, \$15,000.

## GOVERNMENT PRINTING OFFICE

## WORKING CAPITAL AND CONGRESSIONAL PRINTING AND BINDING

For an additional amount for “Working capital and congressional printing and binding”, fiscal year 1947, \$1,175,000: *Provided*, That the limitation upon the amount which may be expended for printing, binding, and distribution of the Federal Register is hereby increased

60 Stat. 405.

from "\$500,000" to "\$525,000" and the limitation upon the amount which may be expended for printing and binding the supplements to the Code of Federal Regulations is hereby increased from "\$100,000" to "\$125,000".

## OFFICE OF SUPERINTENDENT OF DOCUMENTS

60 Stat. 407.

Salaries: For an additional amount, fiscal year 1947, for "Salaries", \$21,500.

## THE JUDICIARY

## COURT OF CUSTOMS AND PATENT APPEALS

59 Stat. 197.

Printing and binding: For an additional amount, fiscal year 1946, for "Printing and binding", \$1,074.07.

## MISCELLANEOUS ITEMS OF EXPENSE

59 Stat. 199.

Printing and binding: For an additional amount, fiscal year 1946, for "Printing and binding", \$7,050.

60 Stat. 478.

Fees of jurors: For an additional amount, fiscal year 1947, for "Fees of jurors", \$30,000.

60 Stat. 479.

Printing and binding: For an additional amount, fiscal year 1947, for "Printing and binding", \$23,700.

## INDEPENDENT OFFICES

## FEDERAL SECURITY AGENCY

## BUREAU OF EMPLOYEES' COMPENSATION

*Ante*, p. 17.

Employees' compensation fund: For an additional amount, fiscal year 1947, for "Employees' compensation fund", \$500,000.

## OFFICE OF VOCATIONAL REHABILITATION

41 Stat. 735.  
29 U. S. C. §§ 31-44.*Post*, p. 267.

Such sums as may be necessary are hereby appropriated for making for the first quarter of the fiscal year 1948 payments to States in accordance with the Vocational Rehabilitation Act, as amended (29 U. S. C., ch. 4): *Provided*, That the obligations incurred and expenditures made for such purpose under the authority of this appropriation shall be charged to the appropriation therefor in the Labor-Federal Security Appropriation Act, 1948: *Provided further*, That the amount obligated and expended shall be based on an annual appropriation for the fiscal year 1948 of not to exceed \$18,000,000.

## VETERANS' ADMINISTRATION

*Ante*, pp. 17, 62.

Administration, medical, hospital, and domiciliary services: For an additional amount, fiscal year 1947, for "Administration, medical, hospital, and domiciliary services", \$28,400,000.

## DISTRICT OF COLUMBIA

## COMPENSATION AND RETIREMENT FUND EXPENSES

60 Stat. 503.

Workmen's compensation, administrative expenses: For an additional amount, fiscal year 1947, for "Workmen's compensation, administrative expenses", \$6,000.

## COURTS

59 Stat. 281.

United States courts: For an additional amount, fiscal year 1946, for "United States courts", \$140,510.25.

## PUBLIC WELFARE

Operating expenses, institutions for the indigent: For an additional amount, fiscal year 1947, for "Operating expenses, institutions for the indigent", \$6,000.

60 Stat. 513.

## PUBLIC WORKS

Operating expenses, Office of Superintendent of District Buildings: For an additional amount, fiscal year 1947, for "Operating expenses, Office of Superintendent of District Buildings", \$29,500.

*Ante*, p. 64.

## JUDGMENTS

For the payment of final judgments, including costs rendered against the District of Columbia, as set forth in House Document Numbered 296, together with such further sums as may be necessary to pay the interest at not exceeding 4 per centum per annum on such judgments, as provided by law, from the date the same became due until the date of payment, \$2,364.89.

## AUDITED CLAIMS

For the payment of the following claims, certified to be due by the accounting officers of the District of Columbia, under the appropriations listed below, the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), being for the service of the fiscal year 1943 and prior fiscal years, as follows:

18 Stat. 110.

Refund of erroneous collections, District of Columbia, 1942, \$117.49;  
Refund of erroneous collections, District of Columbia, 1943, \$6,211.29;

55 Stat. 505.

56 Stat. 430.

Street improvements, highway fund, District of Columbia, 1942 (payable from highway fund), \$34,078.14.

55 Stat. 529.

## DIVISION OF EXPENSES

The sums appropriated in this Act for the District of Columbia shall, unless otherwise specifically provided, be paid out of the general fund of the District of Columbia, as defined in the District of Columbia Appropriation Act, 1947.

60 Stat. 501.

## DEPARTMENT OF AGRICULTURE

## AGRICULTURAL RESEARCH ADMINISTRATION

## REPAIR OF STORM DAMAGE, JEANERETTE, LOUISIANA

The limitation under the head "Agricultural Research Administration, Office of the Administrator", in the 1947 Department of Agriculture Appropriation Act on the cost of constructing buildings shall not apply to the construction of four buildings at the New Iberia Livestock Experiment Station, Jeanerette, Louisiana, to replace buildings destroyed by windstorm.

60 Stat. 275.

## BUREAU OF ANIMAL INDUSTRY

Diseases of animals: The limitation under this head in the Department of Agriculture Appropriation Act, 1947, on the amount which may be used for construction of a building for conducting investigations of pneumoencephalitis in poultry is hereby increased from "\$30,000" to "\$55,000".

60 Stat. 277.

Control and eradication of foot-and-mouth disease and rinderpest: For an additional amount, fiscal year 1947, to enable the Secretary of

*Ante*, pp. 7, 24; *post*,  
pp. 245, 532, 617.

23 Stat. 31.

Agriculture to control and eradicate foot-and-mouth disease and rinderpest as authorized by the Act of February 28, 1947 (Public Law 8), and the Act of May 29, 1884, as amended (7 U. S. C. 391; 21 U. S. C. 111–122), including expenses in accordance with section 2 of said Public Law 8, \$1,500,000, to remain available until June 30, 1948.

## DEPARTMENT OF JUSTICE

### LEGAL ACTIVITIES AND GENERAL ADMINISTRATION

55 Stat. 290.  
*Ante*, p. 111.

Traveling expenses: For an additional amount, fiscal year 1942, for "Traveling expenses", \$14.04.

55 Stat. 294.  
*Ante*, p. 111.

Salaries and expenses, Lands Division: For an additional amount, fiscal year 1942, for "Salaries and expenses, Lands Division", \$137.70.

60 Stat. 459.

There is hereby transferred the sum of \$5,000 from the appropriation "Traveling expenses, Department of Justice, 1947", to the appropriation "Examination of judicial offices, 1947".

59 Stat. 182.

Printing and binding: For an additional amount, fiscal year 1946, for "Printing and binding", \$65,000.

59 Stat. 182.

Miscellaneous salaries and expenses, field: For an additional amount, fiscal year 1946, for "Miscellaneous salaries and expenses, field", \$20,000.

59 Stat. 183.

Salaries and expenses of marshals, and so forth: For an additional amount, fiscal year 1946, for "Salaries and expenses of marshals, and so forth", \$10,000.

60 Stat. 459.

Contingent expenses: For an additional amount, fiscal year 1947, for "Contingent expenses", \$10,000.

60 Stat. 459.

Printing and binding: For an additional amount, fiscal year 1947, for "Printing and binding", \$80,000.

60 Stat. 459.

Miscellaneous salaries and expenses, field: For an additional amount, fiscal year 1947, for "Miscellaneous salaries and expenses, field", \$29,500.

60 Stat. 460.

Salaries and expenses of marshals, and so forth: For an additional amount, fiscal year 1947, for "Salaries and expenses of marshals, and so forth", \$140,000.

60 Stat. 460.

Fees of witnesses: The limitation on the amount which may be expended for compensation and expenses of witnesses or informants as may be authorized or approved by the Attorney General, fiscal year 1947, is hereby increased from "\$25,000" to "\$50,000".

### IMMIGRATION AND NATURALIZATION SERVICE

60 Stat. 462.

Salaries and expenses, Immigration and Naturalization Service: For an additional amount, fiscal year 1947, for "Salaries and expenses, Immigration and Naturalization Service", \$400,000.

## POST OFFICE DEPARTMENT

(Out of the Postal Revenues)

### FIELD SERVICE, POST OFFICE DEPARTMENT

#### OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

58 Stat. 211.

Foreign air-mail transportation: For an additional amount, fiscal year 1945, for "Foreign air-mail transportation", \$3,919,000.

59 Stat. 71.

Foreign air-mail transportation: For an additional amount, fiscal year 1946, for "Foreign air-mail transportation", \$8,196,000.

*Ante*, p. 69.

Foreign air-mail transportation: For an additional amount, fiscal year 1947, for "Foreign air-mail transportation", \$21,262,000, of which \$6,097,000 is to be transferred in the following respective amounts

from the appropriations "Domestic Air Mail Service", \$5,972,000, "Post-office inspectors, salaries", \$10,000, "Post-office inspectors, travel and miscellaneous expenses", \$10,000, "Transportation of equipment and supplies", \$50,000, "Operating force for public buildings", \$50,000, and "Electric-car service", \$5,000.

## TREASURY DEPARTMENT

### OFFICE OF THE SECRETARY

Penalty-mail costs: For an additional amount, fiscal year 1947, for "Penalty-mail costs", Treasury Department, \$225,000.

60 Stat. 569.

### FISCAL SERVICE

Emergency relief, liquidation fund: Title II of the Urgent Deficiency Appropriation Act, 1947 (Public Law 20), is amended by deleting the figures "\$1,280,000" following the words "Bureau of Accounts: Emergency relief, liquidation fund", and inserting in lieu thereof the figures "\$1,243,555.94".

*Ante*, p. 22.

### BUREAU OF INTERNAL REVENUE

Salaries and expenses: The limitation under "Salaries and expenses", Bureau of Internal Revenue, on the amount which may be expended for printing and binding, fiscal year 1947, is hereby increased from "\$2,200,000" to "\$2,390,000".

60 Stat. 574.

### SECRET SERVICE DIVISION

Reimbursement to District of Columbia, benefit payments to White House Police and Secret Service forces: For an additional amount, fiscal year 1947, for "Reimbursement to District of Columbia, benefit payments to White House Police and Secret Service forces", \$16,000.

60 Stat. 577.

## WAR DEPARTMENT

Emergency Flood Control Work, \$12,000,000, to be expended in accord with the provisions of the bill, H. R. 3792, Eightieth Congress, if and when such bill is enacted into law, and to remain available until expended.

*Ante*, p. 163.

The funds provided in the preceding paragraph shall be available to an amount not exceeding \$250,000 to take all action necessary to prevent erosion at Anaheim Bay, Surfside, California.

Anaheim Bay, Calif.

## GENERAL PROVISIONS

SEC. 102. The appropriations and authority with respect to appropriations contained in (1) any regular annual appropriation Act for the fiscal year 1948, or (2) contained in other than a regular annual appropriation Act for the fiscal year 1948, and being for such fiscal year, or (3) contained in other than a regular annual appropriation Act for the fiscal year 1948, and being supplemental to an existing appropriation and for obligation after June 30, 1947, such Acts not being laws on July 1, 1947, shall be available from and including July 1, 1947, for the purposes respectively provided in such appropriations and authority. All obligations incurred during the period between June 30, 1947, and the date of enactment of such appropriation Acts as may not have been enacted on or before July 1, 1947, in anticipation of such appropriations and authority are hereby ratified and confirmed if in accordance with the terms thereof.

Availability of appropriations, etc.  
*Post*, p. 245.



Lump-sum payments for accumulated leave.

60 Stat. 219.  
5 U. S. C. § 947 (g).

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

Affidavit.

Penalty.

Short title.

SEC. 103. When employees are separated from the service during July 1947 by reason of a reduction-in-force and have been given notice of such separation during the fiscal year 1947, lump-sum payments for accumulated leave may be charged against unobligated balances of the 1947 appropriations from which such employees were paid: *Provided*, That subparagraphs (A) and (B) of paragraph (1) of section 14 (a) of the Federal Employees Pay Act of 1946 (Public Law 390) shall not apply to such employees.

SEC. 104. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

SEC. 105. This Act may be cited as the "Second Urgent Deficiency Appropriation Act, 1947".

Approved June 27, 1947.

# [CHAPTER 157]

## AN ACT

June 27, 1947  
[S. 751]  
[Public Law 123]

To continue a system of nurseries and nursery schools for the day care of school-age and under-school-age children in the District of Columbia through June 30, 1948, and for other purposes.

Day nurseries and nursery schools, D. C.  
*Post*, p. 439.

60 Stat. 540.

Funds available for maintenance, etc.  
60 Stat. 541.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 2 of the Act entitled "An Act to authorize and direct the Board of Public Welfare of the District of Columbia to establish and operate in the public schools and other suitable locations a system of nurseries and nursery schools for day care of school-age and under-school-age children, and for other purposes", approved July 16, 1946 (Public Law 514, Seventy-ninth Congress), is amended by striking out the date "June 30, 1947" and inserting in lieu thereof the date "June 30, 1948".

SEC. 2. Such section is further amended by striking out "or who are so handicapped that they cannot otherwise provide for the day care of their children"; and by adding at the end of such section the following new sentence: "Appropriations made under the authority contained in section 4 of this Act shall be available for the maintenance

and operation of such of the buildings and grounds (as may be designated and approved by the Commissioners of the District of Columbia under the provisions of this section) in and on which such nurseries and nursery schools may be established, maintained, and operated.”

SEC. 3. Section 4 of such Act is amended by striking out “\$500,000” and inserting in lieu thereof “\$150,000”.

Approved June 27, 1947.

60 Stat. 541.

# [CHAPTER 158]

## AN ACT

Authorizing certain agreements with respect to rights in helium-bearing gas lands in the Navajo Indian Reservation, New Mexico, and for other purposes.

June 27, 1947  
[H. R. 3372]

[Public Law 124]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior, acting through the Bureau of Mines, and the Navajo Tribe of Indians are authorized to enter into an agreement dated December 1, 1945, entitled “An agreement severing certain formations from oil and gas leases and substituting new leases as to those formations” and an “Amending agreement”, affecting lands in the Navajo Indian Reservation, New Mexico, copies of which are published in House of Representatives Document Numbered 212, Eightieth Congress, first session; and said agreements are ratified and approved. If said Navajo Tribe of Indians shall, after investigation, deem the total consideration payable to it by the United States pursuant to such agreement dated December 1, 1945, as amended, to be in any respect less than reasonable, fair, just, and equitable, said tribe shall be entitled within three years after the date of enactment of this Act to institute suit against the United States in the Court of Claims for the recovery of such additional sum as may be necessary to compensate said tribe for the reasonable, fair, just, and equitable value of all right, interest, and property passing from said tribe to the United States under such agreement, as amended. Jurisdiction is hereby conferred upon the Court of Claims to hear and determine any suit so instituted and to enter final judgment against the United States therein for such sum, if any, in excess of the total consideration payable pursuant to such agreement, as amended, as such court may determine to be necessary to provide consideration in all respects reasonable, fair, just, and equitable. Appellate review of any judgment so entered shall be in the same manner, and subject to the same limitations, as in the case of claims over which the Court of Claims has jurisdiction under section 145 of the Judicial Code, as amended (28 U. S. C., sec. 250). Notwithstanding any contract to the contrary, not more than 10 per centum of the amount received or recovered by said tribe in satisfaction of any claim asserted under this section shall be paid to or received by any agent or attorney on account of services rendered in connection with such claim.

Navajo Tribe of  
Indians.  
Agreements.

Suit for recovery of  
additional sum.

36 Stat. 1136.

SEC. 2. The Secretary of the Interior, acting through the Bureau of Mines, is authorized to enter into an agreement dated September 19, 1946, with Continental Oil Company and Santa Fe Corporation entitled “Agreement for assignments of interests in oil and gas leases and for operations on the leaseholds” and two agreements supplemental thereto, affecting lands in the Navajo Indian Reservation, New Mexico, copies of which are published in House of Representatives Document Numbered 212, Eightieth Congress, first session; and said agreements are ratified and approved.

Continental Oil Co.  
and Santa Fe Corp.  
Agreements.

Approved June 27, 1947.

## [CHAPTER 159]

## JOINT RESOLUTION

June 28, 1947  
[S. J. Res. 125]  
[Public Law 125]

To strengthen the common defense and to meet industrial needs for tin by providing for the maintenance of a domestic tin-smelting industry.

Tin.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That (a) tin is a highly strategic and critical material of which insufficient ore reserves exist in the United States and of which an adequate supply is vital to the Nation's industrial, military, and naval requirements for the common defense.

(b) Tin is now and for the immediate future will remain in supply short of the requirements of this country's industrial, military, and naval needs.

Study and investigation by Congress.

(c) It is necessary in the public interest and to promote the common defense that Congress make a thorough study and investigation regarding the advisability of the maintenance on a permanent basis of a domestic tin-smelting industry and to study the availability of supplies of tin adequate to meet the industrial, military, and naval requirements of the Nation in time of national emergency.

Continuation of powers, etc., exercised by RFC.

SEC. 2. The powers, functions, duties, and authority of the United States heretofore exercised by the Reconstruction Finance Corporation (1) to buy, sell, and transport tin, and tin ore and concentrates; (2) to improve, develop, maintain, and operate by lease or otherwise the Government-owned tin smelter at Texas City, Texas; (3) to finance research in tin smelting and processing; and (4) to do all other things necessary to the accomplishment of the foregoing shall continue in effect until June 30, 1949, or until such earlier time as the Congress shall otherwise provide, and shall be exercised and performed by the Reconstruction Finance Corporation while that Corporation has succession, and thereafter by such officer, agency, or instrumentality of the United States as the President may designate.

Report to Congress.

SEC. 3. The Reconstruction Finance Corporation or the officer, agency, or instrumentality of the United States subsequently designated by the President shall render a full report to Congress on all its activities under this joint resolution not later than December 31, 1947, and at the end of each six months thereafter.

Approved June 28, 1947.

## [CHAPTER 160]

## AN ACT

June 28, 1947  
[H. R. 3398]  
[Public Law 126]

To extend the period of validity of the Act to facilitate the admission into the United States of the alien fiancées or fiancés of members of the armed forces of the United States.

50 U. S. C. app.  
§§ 1851-1855.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the authority conferred upon the Secretary of State and the Attorney General under the provisions of the Act approved June 29, 1946 (60 Stat. 339), shall be extended to December 31, 1947, midnight.

Approved June 28, 1947.

## [CHAPTER 161]

## AN ACT

June 28, 1947  
[H. R. 3911]  
[Public Law 127]

To continue temporary authority of the Maritime Commission until March 1, 1948.

U. S. Maritime Commission,  
Post, p. 697.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the paragraph under the head, "United States Maritime Commission" in title I of the Third Deficiency Appropriation Act, 1946 (Public Law 521,

Seventy-ninth Congress, approved July 23, 1946), as amended by section 2 of Public Law 6, Eightieth Congress, approved February 26, 1947, and section 1 of said Public Law 6, Eightieth Congress, and the first two sentences of section 11 (a) and section 14 of the Merchant Ship Sales Act of 1946 (Public Law 321, Seventy-ninth Congress, approved March 8, 1946), are amended by striking out the dates "July 1, 1947" and "December 31, 1947", wherever either appear therein, and inserting in lieu thereof the date "March 1, 1948".

SEC. 2. That section 5 of the Merchant Ship Sales Act of 1946 is amended by adding at the end thereof the following subsection:

"(d) Where an operator is engaged both in the foreign trade and in the domestic trade (coastwise or intercoastal), additional charter hire determined with reference to voyage profits of the chartered vessels, under regulations promulgated by the Maritime Commission, shall be computed, accounted for, and paid separately on such foreign trade and shall be computed, accounted for, and paid separately on such domestic trade, covering all voyages commencing subsequent to June 30, 1947."

Approved June 28, 1947.

#### [CHAPTER 162]

#### AN ACT

To stimulate volunteer enlistments in the Regular Military Establishment of the United States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That effective July 1, 1947, the Secretary of War is authorized, notwithstanding the provisions of the last paragraph of section 127a of this Act, to accept original enlistments in the Regular Army from among qualified male persons not less than seventeen years of age for periods of two, three, four, five, or six years, and to accept reenlistments for periods of three, four, five, or six years: *Provided*, That persons of the first three enlisted grades may be reenlisted for unspecified periods of time on a career basis under such regulations as the Secretary of War may prescribe: *Provided further*, That anyone who serves three or more years of an enlistment for an unspecified period of time may submit to the Secretary of War his resignation and such resignation shall be accepted by the Secretary of War and such person shall be discharged from his enlistment within three months of the submission of such resignation. Except if such person, other than an enlisted member of a Regular Army Puerto Rican unit submits his resignation while stationed overseas or after embarking for an overseas station, the Secretary of War shall not be required to accept such resignation until a total of two years of overseas service shall have been completed in the current overseas assignment, and in the case of anyone who has completed any course of instruction pursuant to paragraph 13 of section 127a of the National Defense Act, as amended (10 U. S. C. 535), or pursuant to section 2 of the Act of April 3, 1939 (53 Stat. 556), as amended (10 U. S. C. 298a), the Secretary of War shall not be required to accept such resignation until two years subsequent to the completion of such course. The Secretary of War may refuse to accept any such resignation in time of war or national emergency declared by the President or Congress, or while the person concerned is absent without leave or serving a sentence of court martial. The Secretary of War may refuse to accept a resignation for a period not to exceed six months following the submission thereof if the enlisted person is under investigation or in default with respect to public property or public funds: *Provided*

*Ante*, p. 6.

60 Stat. 49, 50.  
50 U. S. C. app.  
§§ 1744(a), 1735 note.

60 Stat. 43.  
50 U. S. C. app.  
§ 1738.

Computation of additional charter hire, etc.

June 28, 1947  
[H. R. 3303]  
[Public Law 128]

Enlistments in Regular Army.

Reenlistments on career basis.

Resignations.

41 Stat. 786.

Consent of parents, etc., for persons under age 18.

Right to reenlistment under other provisions of law.

Enlistment contracted on or after June 1, 1945.

Reenlistment of discharged persons.

Promotions to sixth grade.

Back pay or allowance.

39 Stat. 166.  
56 Stat. 364.  
37 U. S. C. §§ 16a, 110.  
*Post*, p. 242.

Reenlistment allowance.

43 Stat. 896; 42 Stat. 74.

58 Stat. 8.

39 Stat. 197.  
32 U. S. C. §§ 1, 4, 4a.

*further*, That no person under the age of eighteen years shall be enlisted without the written consent of his parents or guardian, and the Secretary of War shall, upon the application of the parents or guardian of any such person enlisted without their written consent, discharge such person from the military service with pay and with the form of discharge certificate to which the service of such person, after enlistment, shall entitle him: *Provided further*, That nothing contained in this Act shall be construed to deprive any person of any right to reenlistment in the Regular Army under any other provision of law. No person who is serving under an enlistment contracted on or after June 1, 1945, shall be entitled, before the expiration of the period of such enlistment, to enlist for an enlistment period which will expire before the expiration of the enlistment period for which he is so serving: *Provided further*, That any enlisted person discharged from the Regular Army who upon such discharge is recommended for reenlistment shall be permitted to reenlist with the rank held by him at the time of his discharge if he reenlists within a period to be specified by the Secretary of War but not to exceed three months from the date of such discharge: *And provided further*, That any enlisted person discharged from the Regular Army by reason of acceptance of his resignation shall not be entitled upon subsequent reenlistment to the rank, rating, or grade held at the time of discharge.

SEC. 2. Any person who enlists or reenlists in the Regular Military Establishment on or after June 1, 1945, in the seventh grade, upon the completion of recruit training, but not later than four months subsequent to the date of enlistment, shall, unless sooner promoted, be promoted to the sixth grade, provided he meets such qualifications as may be prescribed in regulations promulgated by the Secretary of War: *Provided*, That no back pay or allowance shall accrue to any person by reason of enactment of this section.

SEC. 3. Section 2 of the National Defense Act, as amended (10 U. S. C. 4, 602), is further amended by deleting the last sentence thereof.

SEC. 4. Paragraph 4 of section 10 of the Pay Readjustment Act of 1942 is hereby amended by substituting a colon for the period at the end of such paragraph and by adding immediately after such colon the following: "*Provided further*, That in addition to such enlistment allowance, any person enlisting for an unspecified period of time shall be paid the sum of \$50 upon the completion of each year of service of such reenlistment, and any person who resigns or is discharged from such enlistment for an unspecified period of time shall not thereafter be entitled to any additional enlistment or reenlistment allowance based on any period served in such enlistment for an unspecified period of time."

SEC. 5. Effective July 1, 1947, sections 653 and 653a of title 10, United States Code, are repealed and all other laws and parts of laws insofar as they are inconsistent with or in conflict with the provisions of this Act are likewise repealed.

SEC. 6. Subsection 1 (b) of the Mustering-Out Payment Act of 1944 (38 U. S. C., Supp. V. 691a) is amended by striking out the word "and" at the end of subsection (7) thereof, inserting a semicolon in lieu of the period after subsection (8) thereof, and adding the following: "and (9) any person entering upon active service, or enlisting, on or after the first day of the first month after the approval of the Act adding this subsection."

SEC. 7. Sections 57 and 58 of the National Defense Act, as amended, are further amended by striking out the words "eighteen" therefrom and substituting therefor the words "seventeen" in each of the said sections.

Approved June 28, 1947.

## [CHAPTER 163]

## AN ACT

Relative to maximum rents on housing accommodations; to repeal certain provisions of Public Law 388, Seventy-ninth Congress, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

June 30, 1947  
[H. R. 3203]

[Public Law 129]

Housing and Rent  
Act of 1947.

## TITLE I—AMENDMENTS TO EXISTING LAW

SECTION 1. (a) Sections 1, 2 (b) through 9, and sections 11 and 12, of Public Law 388, Seventy-ninth Congress, are hereby repealed, and any funds made available under said sections of said Act not expended or committed prior to the enactment of this Act are hereby returned to the Treasury: *Provided*, That any allocations made or committed, or priorities granted for the delivery, of any housing materials or facilities under any regulation or order issued under the authority contained in said Act, and before the date of enactment of this Act, with respect to veterans of World War II, their immediate families, and others, shall remain in full force and effect.

Veterans' Emergen-  
cy Housing Act of  
1946, amendments.  
60 Stat. 207.  
50 U. S. C. app.  
§§ 1821-1829, 1831,  
1832.  
Prior allocations of  
materials, etc.

(b) (1) Whenever the Housing Expediter determines that there is a shortage, or that there is likely to be a shortage, of building materials, he may by regulation or order require of any person or persons a permit as a condition of constructing any building or facilities to be used for amusement or recreational purposes, other than a building or facilities constructed for use in connection with a State or county fair or an agricultural, livestock, or industrial exposition or exhibition, the net proceeds from which are used exclusively for improvement, maintenance, and operation of such exposition or exhibition.

Permit to construct  
buildings for amuse-  
ment purposes, etc.

(2) It shall be unlawful for any person to do or omit to do any act in violation of any regulation or order prescribed under authority of this subsection. Any person who willfully violates the provisions of this paragraph shall, upon conviction thereof, be subject to a fine of not more than \$5,000, or to imprisonment for not more than two years, or to both such fine and imprisonment.

Unlawful acts; pen-  
alty.

(3) As used in this subsection, the term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or a legal successor or representative of any of the foregoing.

"Person."

SEC. 2. Section 603 (a) of the National Housing Act, as amended, is amended by striking out "June 30, 1947" wherever appearing therein and inserting in lieu thereof "March 31, 1948".

55 Stat. 56; 60 Stat.  
212.  
12 U. S. C. § 1738 (a).  
Post, pp. 777, 945.

SEC. 3. Title VI of the National Housing Act, as amended, is amended by adding the following new section at the end thereof:

55 Stat. 55,  
12 U. S. C. §§ 1736-  
1743.  
Post, pp. 208, 777,  
945.

"Sec. 609. (a) In order to assist in relieving the acute shortage of housing which now exists and to promote the production of housing for veterans of World War II at moderate prices or rentals within their reasonable ability to pay, through the application of modern industrial processes, the Administrator is authorized to insure loans to finance the manufacture of housing (including advances on such loans) when such loans are eligible for insurance as hereinafter provided.

Insurance of loans to  
finance manufacture  
of housing.

"(b) Loans for the manufacture of houses shall be eligible for insurance under this section if at the time of such insurance, the Administrator determines they meet the following conditions:

Conditions.

"(1) The manufacturer shall establish that binding contracts have been executed satisfactory to the Administrator, providing for the purchase and delivery of the number of houses to be manufactured with the proceeds of the loan;

"(2) Such houses to be manufactured shall meet such requirements of sound quality, durability, livability, and safety as may be prescribed by the Administrator;

"(3) The borrower shall establish to the satisfaction of the Administrator that he has or will have adequate plant facilities, sufficient capital funds, taking into account the loan applied for, and the experience necessary, to achieve the required production schedule;

"(4) The loan shall involve a principal obligation in an amount not to exceed 90 per centum of the amount which the Administrator estimates will be the necessary current cost of manufacturing such houses, exclusive of profit. The loan shall be secured by an assignment of the aforesaid purchase contracts for the houses to be manufactured with the proceeds of the loan, and of all sums payable under such purchase contracts, with the right in the assignee to proceed against such security in case of default as provided in the assignment, which assignment shall be in such form and contain such terms and conditions, as may be prescribed by the Administrator; and the Administrator may require such other agreements and undertakings to further secure the loan as he may determine, including the right, in case of default or at any time necessary to protect the lender, to compel delivery to the lender of any houses manufactured with the proceeds of the loan and then owned and in the possession of the borrower. The loan shall have a maturity not in excess of one year from the date of the note, except that any such loan may be refinanced and extended in accordance with such terms and conditions as the Administrator may prescribe for an additional term not to exceed one year, and shall bear interest (exclusive of premium charges for insurance) at not to exceed 4 per centum per annum on the amount of the principal obligation outstanding at any time.

Release of property  
assigned, etc.

"(c) The Administrator may consent to the release of a part or parts of the property assigned or delivered as security for the loan, upon such terms and conditions as he may prescribe and the security documents may provide for such release.

Failure to make  
payment, etc.

"(d) The failure of the borrower to make any payment due under or provided to be paid by the terms of a loan under this section, or the failure to perform any other covenant or obligation contained in any assignment, agreement, or undertaking executed by the borrower in connection with such loan, shall be considered as a default under this section, and if such default continues for a period of thirty days, the lender shall be entitled to receive the benefits of the insurance hereinafter provided upon assignment, transfer, and delivery to the Administrator within a period and in accordance with the rules and regulations prescribed by the Administrator of (1) all rights and interest arising with respect to the loan so in default; (2) all claims of the lender against the borrower or others arising out of the loan transaction; (3) any cash or property held by the lender, or to which it is entitled, as deposits made for the account of the borrower and which have not been applied in reduction of the principal of the loan; and (4) all records, documents, books, papers, and accounts relating to the loan transaction. Upon such assignment, transfer, and delivery, the Administrator shall, subject to the cash adjustment provided for in section 604 (c), issue to the lender debentures having a face value equal to the unpaid principal balance of the loan.

55 Stat. 59.  
12 U. S. C. § 1739 (c).

Issuance of debentures.  
55 Stat. 59.  
12 U. S. C. § 1739 (d).

"(e) Debentures issued under this section shall be issued in accordance with the provisions of section 604 (d) except that such debentures shall be dated as of the date of default as determined in subsection (d) of this section and shall bear interest from such date.

52 Stat. 20; 55 Stat. 56.  
12 U. S. C. §§ 1713 (k), 1738 (a).  
*Ante*, p. 193; *post*, pp. 777, 945.

"(f) The provisions of section 207 (k) and 603 (a) of this Act shall be applicable to loans insured under this section, except that as applied to such loans (1) all references in section 207 (k) to the 'Housing Fund' shall be construed to refer to the 'War Housing Insurance Fund'

and (2) the reference in section 207 (k) to 'subsection (g)' shall be construed to refer to 'subsection (d)' of this section; (3) the references in section 207 (k) to insured mortgages shall be construed to refer to the assignment or other security for loans insured under this section; and (4) the references in section 603 (a) to a mortgage or mortgages shall be construed to include a loan or loans under this section.

"(g) Notwithstanding any other provision of law, the Administrator shall have the power to assign or sell at public or private sale, or otherwise dispose of, any evidence of debt, contract, claim, personal property, or security assigned to or held by him in connection with the payment of insurance heretofore or hereafter granted under this section, and to collect or compromise all obligations assigned to or held by him and all legal or equitable rights accruing to him in connection with the payment of such insurance until such time as such obligations may be referred to the Attorney General for suit or collection.

Power of Administrator to dispose of property, etc.

"(h) The Administrator shall fix a premium charge for the insurance granted under this section, but such premium charge shall not exceed an amount equivalent to 1 per centum of the original principal of such loan, and such premium charge shall be payable in advance by the financial institution and shall be paid at such time and in such manner as may be prescribed by the Administrator. In addition to the premium charge herein provided for, the Administrator is authorized to charge and collect such amounts as he may deem reasonable for examining and processing applications for the insurance of loans under this section, including such additional inspections as the Administrator may deem necessary."

Premium charge.

SEC. 4. (a) In order to assure preference or priority to veterans of World War II or their families—

Veterans' preference.

(1) no housing accommodations consisting of a dwelling designed for a single family residence, the construction of which is completed after the date of enactment of this title and prior to March 1, 1948, shall be sold or offered for sale, prior to the expiration of thirty days after construction is completed, for occupancy by persons other than such veterans or their families; and

(2) no housing accommodations, designed for occupancy by other than transients, the construction of which is completed after the date of enactment of this title and prior to March 1, 1948, shall be rented or offered for rent, prior to the expiration of thirty days after construction is completed, for occupancy by persons other than such veterans or their families; and

(3) no housing accommodations consisting of a dwelling designed for a single-family residence, the construction of which is completed after the date of enactment of this title and prior to March 1, 1948, shall be sold or offered for sale to any person at a price less than the price for which it is offered to veterans or their families; and

(4) no housing accommodations, designed for occupancy by other than transients, the construction of which is completed after the date of enactment of this title and prior to March 1, 1948, shall be rented or offered for rent, at a price less than the price for which it is offered for rent to veterans and their families; and

(5) the Housing Expediter shall prescribe by regulations: (i) the manner in which such housing accommodations shall be publicly offered in good faith for sale or rental to veterans of World War II or their families in accordance with the provisions of this section, and (ii) exceptions to this section for hardship cases, including appropriate exceptions from the operation of paragraphs (3) and (4): *Provided*, That nothing contained in



60 Stat. 207.  
50 U. S. C. app.  
§§ 1821-1833.  
*Ante*, p. 193.

this Act shall affect or remove any veteran's preference requirements heretofore established under Public Law 388, Seventy-ninth Congress, and outstanding with respect to housing accommodations completed prior to the date of the enactment of this title.

(b) This section shall cease to be in effect whenever the President proclaims that the protection to such veterans and their families provided by this section is no longer needed.

(c) For purposes of this section (1) the Housing Expediter shall prescribe by regulations the time as of which construction of housing accommodations shall be deemed to be completed, and (2) the term "person" shall have the meaning assigned to such term in section 1 (b) (3) of this Act.

Penalty.

(d) Any person who willfully violates any provision of this section shall, upon conviction thereof, be subject to a fine of not more than \$5,000 or to imprisonment for not more than one year, or to both such fine and imprisonment.

## TITLE II—MAXIMUM RENTS

### DECLARATION OF POLICY

60 Stat. 664.  
50 U. S. C. app.  
§ 901 *et seq.*; 15 U. S. C.  
§ 713 notes.

Termination of Federal restrictions on rents.

SEC. 201. (a) The Congress hereby reaffirms the declaration in the Price Control Extension Act of 1946 that unnecessary or unduly prolonged controls over rents would be inconsistent with the return to a peacetime economy and would tend to prevent the attainment of the goals therein declared.

(b) The Congress therefore declares that it is its purpose to terminate at the earliest practicable date all Federal restrictions on rents on housing accommodations. At the same time the Congress recognizes that an emergency exists and that, for the prevention of inflation and for the achievement of a reasonable stability in the general level of rents during the transition period, as well as the attainment of other salutary objectives of the above-named Act, it is necessary for a limited time to impose certain restrictions upon rents charged for rental housing accommodations in defense-rental areas. Such restrictions should be administered with a view to prompt adjustments where owners of rental housing accommodations are suffering hardships because of the inadequacies of the maximum rents applicable to their housing accommodations, and under procedures designed to minimize delay in the granting of necessary adjustments, which, so far as practicable, shall be made by local boards with a minimum of control by any central agency.

(c) To the end that these policies may be effectively carried out with the least possible impact on the economy pending complete decontrol, the provisions of this title are enacted.

### DEFINITIONS

SEC. 202. As used in this title—

(a) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or a legal successor or representative of any of the foregoing.

(b) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes (including houses, apartments, rooming- or boarding-house accommodations, and other properties used for living or dwelling purposes) together with all privileges, services, furnishings, furniture, and facilities connected with the use or occupancy of such property.

(c) The term "controlled housing accommodations" means housing accommodations in any defense-rental area, except that it does not include—

(1) those housing accommodations, in any establishment which is commonly known as a hotel in the community in which it is located, which are occupied by persons who are provided customary hotel services such as maid service, furnishing and laundering of linen, telephone and secretarial or desk service, use and upkeep of furniture and fixtures, and bellboy service; or

(2) any motor court, or any part thereof; or any tourist home serving transient guests exclusively, or any part thereof; or

(3) any housing accommodations (A) the construction of which was completed on or after February 1, 1947, or which are additional housing accommodations created by conversion on or after February 1, 1947, except that contracts for the rental of housing accommodations to veterans of World War II and their immediate families, the construction of which was assisted by allocations or priorities under Public Law 388, Seventy-ninth Congress, approved May 22, 1946, shall remain in full force and effect, or (B) which at no time during the period February 1, 1945, to January 31, 1947, both dates inclusive, were rented (other than to members of the immediate family of the occupant) as housing accommodations.

(d) The term "defense-rental area" means any part of any area designated under the provisions of the Emergency Price Control Act of 1942, as amended, prior to March 1, 1947, as an area where defense activities have resulted or threaten to result in an increase in the rents for housing accommodations inconsistent with the purposes of such Act, in which maximum rents were being regulated under such Act on March 1, 1947.

(e) The term "rent" means the consideration demanded or received in connection with the use or occupancy or the transfer of a lease of any housing accommodations.

60 Stat. 207.  
50 U. S. C. app.  
§§ 1821-1833.  
*Ante*, p. 193.

56 Stat. 23.  
50 U. S. C. app.  
§§ 901-906, 921-926,  
941-946.  
*Post*, p. 619.

#### TERMINATION OF RENT CONTROL UNDER EMERGENCY PRICE CONTROL ACT OF 1942

SEC. 203. (a) After the effective date of this title, no maximum rents shall be established or maintained under the authority of the Emergency Price Control Act of 1942, as amended, with respect to any housing accommodations.

*Supra.*

(b) On the termination of rent control under this title all records and other data used or held in connection with the establishment and maintenance of maximum rents by the Housing Expediter, and all predecessor agencies, shall, on request, be delivered without reimbursement to the proper officials of any State or local subdivision of government that may be charged with the duty of administering a rent control program in any State or local subdivision of government to which such records and data may be applicable: *Provided, however*, That any such records or data shall be so made available subject to recall for use in carrying out the purposes of this title.

#### RENT CONTROL UNDER THIS TITLE

SEC. 204. (a) The Housing Expediter shall administer the powers, functions, and duties under this title; and for the purpose of exercising such powers, functions, and duties, and the powers, functions, and duties granted to or imposed upon the Housing Expediter by title I of this Act, the Office of Housing Expediter is hereby extended until February 29, 1948.

Extension of Office  
of Housing Expediter.

**Maximum rent.**

56 Stat. 23.  
50 U. S. C. app.  
§§ 901-906, 921-926,  
941-946.  
Post, p. 619.  
Adjustments.

Lease entered into  
on or before Dec. 31,  
1947.

Removal of maxi-  
mum rents in defense-  
rental areas.

Regulations and  
orders.

Advisory boards in  
defense-rental areas.

Office space, etc.

(b) During the period beginning on the effective date of this title and ending on the date this title ceases to be in effect, no person shall demand, accept, or receive any rent for the use or occupancy of any controlled housing accommodations greater than the maximum rent established under the authority of the Emergency Price Control Act of 1942, as amended, and in effect with respect thereto on June 30, 1947: *Provided, however*, That the Housing Expediter shall, by regulation or order, make such adjustments in such maximum rents as may be necessary to correct inequities or further to carry out the purposes and provisions of this title: *And provided further*, That in any case in which a landlord and tenant, on or before December 31, 1947, voluntarily enter into a valid written lease in good faith with respect to any housing accommodations for which a maximum rent is in effect under this section and such lease takes effect after the effective date of this title and expires on or after December 31, 1948, and if a true and duly executed copy of such lease is filed, within fifteen days after the date of execution of such lease, with the Housing Expediter, the maximum rent for such housing accommodations shall be, as of the date such lease takes effect, that which is mutually agreed between the landlord and tenant in such lease if it does not represent an increase of more than 15 per centum over the maximum rent which would otherwise apply under this section. In any case in which a maximum rent for any housing accommodations is established pursuant to the provisions of the last proviso above, such maximum rent shall not thereafter be subject to modification by any regulation or order issued under the provisions of this title. No housing accommodations for which a maximum rent is established pursuant to the provisions of the last proviso above shall be subject, after December 31, 1947, to any maximum rent established or maintained under the provisions of this title.

(c) The Housing Expediter is hereby authorized and directed to remove any or all maximum rents before this title ceases to be in effect, in any defense-rental area, if in his judgment the need for continuing maximum rents in such area no longer exists due to sufficient construction of new housing accommodations or when the demand for rental housing accommodations has been otherwise reasonably met.

(d) The Housing Expediter is authorized to issue such regulations and orders, consistent with the provisions of this title, as he may deem necessary to carry out the provisions of this section and section 202 (c).

(e) (1) The Housing Expediter is authorized and directed to create in each defense-rental area, or such portion thereof as he may designate, a local advisory board, each such board to consist of not less than five members who are representative citizens of the area, to be appointed by the Housing Expediter, from recommendations made by the respective Governors. Each such board shall have sufficient members to enable it promptly to consider individual adjustment cases coming before it on which the board shall make recommendations to the officials administering this title within its area. The local boards may make such recommendations to the Housing Expediter as they deem advisable with respect to the following matters:

(A) Decentralization of the defense-rental area or any portion thereof;

(B) The adequacy of the general rent level in the area; and

(C) Operations generally of the local rent office, with particular reference to hardship cases.

(2) The Housing Expediter shall furnish the local boards suitable office space and stenographic assistance and shall make available to such boards any records and other information in the possession of

the Housing Expediter with respect to the establishment and maintenance of maximum rents and housing accommodations in the respective defense-rental areas which may be requested by such boards.

(3) Within thirty days after receipt of any recommendation of a local board such recommendation shall be approved or disapproved or the local board shall be notified in writing of the reasons why final action cannot be taken in thirty days. Any recommendation of a local board appropriately substantiated and in accordance with applicable law and regulations shall be approved and appropriate action shall promptly be taken to carry such recommendation into effect.

Approval of recommendations, etc.

(4) Immediately upon the enactment of this Act the Housing Expediter shall communicate with the governors of the several States advising them of the provisions of this subsection and of the number and location of defense-rental areas in their respective States, and requesting their cooperation in carrying out such provisions.

Cooperation of State governors, etc.

(f) The provisions of this title shall cease to be in effect on February 29, 1948.

Termination of title.

#### RECOVERY OF DAMAGES BY TENANTS

SEC. 205. Any person who demands, accepts, or receives any payment of rent in excess of the maximum rent prescribed under section 204 shall be liable to the person from whom he demands, accepts, or receives such payment, for reasonable attorney's fees and costs as determined by the court, plus liquidated damages in the amount of (1) \$50, or (2) three times the amount by which the payment or payments demanded, accepted, or received exceed the maximum rent which could lawfully be demanded, accepted, or received, whichever in either case may be the greater amount: *Provided*, That the amount of such liquidated damages shall be the amount of the overcharge or overcharges if the defendant proves that the violation was neither willful nor the result of failure to take practicable precautions against the occurrence of the violation. Suit to recover such amount may be brought in any Federal, State, or Territorial court of competent jurisdiction within one year after the date of such violation. For the purpose of determining the amount of liquidated damages to be awarded to the plaintiff in an action brought under this section, all violations alleged in such action which were committed by the defendant with respect to the plaintiff prior to the bringing of action shall be deemed to constitute one violation, and the amount demanded, accepted, or received in connection with such one violation shall be deemed to be the aggregate amount demanded, accepted, or received in connection with all violations. A judgment in an action under this section shall be a bar to a recovery under this section in any other action against the same defendant on account of any violation with respect to the same plaintiff prior to the institution of the action in which such judgment was rendered.

#### PROHIBITION AND ENFORCEMENT

SEC. 206. (a) It shall be unlawful for any person to offer, solicit, demand, accept, or receive any rent for the use or occupancy of any controlled housing accommodations in excess of the maximum rent prescribed under section 204.

(b) Whenever in the judgment of the Housing Expediter any person has engaged or is about to engage in any act or practice which constitutes or will constitute a violation of subsection (a) of this section, he may make application to any Federal, State or Territorial court of competent jurisdiction, for an order enjoining such act or practice, or for an order enforcing compliance with such subsection, and upon a showing by the Housing Expediter that such person has

engaged or is about to engage in any such act or practice a permanent or temporary injunction, restraining order, or other order shall be granted without bond.

#### MAINTENANCE OF ACTIONS FOR CERTAIN ALLEGED PAST VIOLATIONS

56 Stat. 23.  
50 U. S. C. app.  
§§ 901-906, 921-926,  
941-946.  
*Post*, p. 619.

SEC. 207. No action or proceeding, involving any alleged violation of Maximum Price Regulation Numbered 188, issued under the Emergency Price Control Act of 1942, as amended, shall be maintained in any court, or judgment thereon executed or otherwise proceeded on, if a court of competent jurisdiction has found, or by opinion has declared, that the person alleged to have committed such violation acted in good faith and that application to such person of the "actual delivery" provisions of such regulation would result or has resulted in extreme hardship.

#### PROPERTY, PERSONNEL, AND APPROPRIATIONS

12 F. R. 2645.

Appropriation au-  
thorized.  
*Post*, pp. 574, 616.

SEC. 208. (a) The records, property, personnel, and funds, relating primarily to rent control, transferred to the Housing Expediter by or pursuant to Executive Order Numbered 9841, dated April 23, 1947, may be used for the purpose of carrying out the powers, functions, and duties of the Housing Expediter under this title; except that any personnel so transferred who are found to be in excess of the needs of the Housing Expediter for the exercise of such powers, functions, and duties shall be separated from the service.

(b) There are authorized to be appropriated to the Housing Expediter such sums as may be necessary to carry out the provisions of this Act.

#### EVICTIION OF TENANTS

Violations, etc., by  
tenant.

Recovery by land-  
lord for personal use,  
etc.

Contract to sell.

Alteration, remodel-  
ing, etc.

SEC. 209. (a) No action or proceeding to recover possession of any controlled housing accommodations with respect to which a maximum rent is in effect under this title shall be maintainable by any landlord against any tenant in any court, notwithstanding the fact that the tenant has no lease or that his lease has expired, so long as the tenant continues to pay the rent to which the landlord is entitled unless—

(1) under the law of the State in which the action or proceeding is brought the tenant is (A) violating the obligation of his tenancy (other than an obligation to pay rent higher than rent permitted under this Act or an obligation to surrender possession of such housing accommodations) or (B) is committing a nuisance in such housing accommodations or using such housing accommodations for an immoral or illegal purpose or for other than living or dwelling purposes;

(2) the landlord seeks in good faith to recover possession of such housing accommodations for his immediate and personal use and occupancy as housing accommodations;

(3) the landlord has in good faith contracted in writing to sell the housing accommodations to a purchaser for the immediate and personal use and occupancy as housing accommodations by such purchaser;

(4) the landlord seeks in good faith to recover possession of such housing accommodations for the immediate purpose of substantially altering, remodeling, or demolishing them and replacing them with new construction, and the altering or remodeling is reasonably necessary to protect and conserve the housing accommodations and cannot practically be done with the tenant in occupancy, and the landlord has obtained such approval as may be required by Federal, State, or local law for the alterations, remodeling, or any construction planned; or

(5) the housing accommodations are nonhousekeeping, furnished housing accommodations located within a single dwelling unit not used as a rooming or boarding house and the remaining portion of which is occupied by the landlord or his immediate family.

Nonhousekeeping accommodations.

(b) Notwithstanding any other provision of this Act, the United States or any State or local public agency may maintain an action or proceeding to recover possession of any housing accommodations operated by it where such action or proceeding is authorized by the statute or regulations under which such accommodations are administered: *Provided*, That nothing in this subsection shall be deemed to authorize the maintenance of any such action or proceeding upon the ground that the income of the occupants of the housing accommodations exceeds the allowable maximum unless such income, less any amounts paid to such occupants by the Veterans' Administration on account of service-connected disability or disabilities, exceeds the allowable maximum.

Action to recover possession by U. S., State, or local agency. *Post*, p. 705.

#### ADMINISTRATIVE PROCEDURE ACT INAPPLICABLE

SEC. 210. Section 2 (a) of the Administrative Procedure Act, as amended, is amended by inserting after "Selective Training and Service Act of 1940;" the following: "Housing and Rent Act of 1947;"

60 Stat. 237.  
5 U. S. C. § 1001(a).  
*Ante*, p. 37.

#### APPLICATION

SEC. 211. The provisions of this title shall be applicable to the several States and to the Territories and possessions of the United States but shall not be applicable to the District of Columbia.

#### EFFECTIVE DATE OF TITLE

SEC. 212. This title shall become effective on the first day of the first calendar month following the month in which this Act is enacted.

#### SHORT TITLE

SEC. 213. This Act may be cited as the "Housing and Rent Act of 1947".

### TITLE III—SEPARABILITY OF PROVISIONS

SEC. 301. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the validity of the remainder of this Act, and the applicability of such provision to other persons or circumstances, shall not be affected thereby.

Approved June 30, 1947.

[CHAPTER 164]

#### AN ACT

To continue the Commodity Credit Corporation as an agency of the United States until June 30, 1948.

June 30, 1947  
[S. 350]  
[Public Law 130]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the first sentence of subsection (a) of section 7 of the Act approved January 31, 1935 (49 Stat. 4), as amended, is amended by striking out "June 30, 1947" and inserting in lieu thereof "June 30, 1948".

59 Stat. 51.  
15 U. S. C. § 713 (a).

Approved June 30, 1947.

## [CHAPTER 165]

## AN ACT

June 30, 1947  
[S. 1072]  
[Public Law 131]

To extend until July 1, 1949, the period during which income from agricultural labor and nursing services may be disregarded by the States in making old-age assistance payments without prejudicing their rights to grants-in-aid under the Social Security Act.

Old-age assistance.

50 U. S. C. app.  
§§ 1351 note, 1355(f).  
*Ante*, p. 55.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 5 (f) of the joint resolution entitled "Joint resolution making an appropriation to assist in providing a supply and distribution of farm labor for the calendar year 1943", approved April 29, 1943 (57 Stat. 72), as amended (57 Stat. 125; 59 Stat. 80), and section 5 (f) of the Farm Labor Supply Appropriation Act, 1944 (58 Stat. 15), are each amended by striking out "prior to the seventh calendar month occurring after the termination of hostilities in the present war, as proclaimed by the President" and inserting in lieu thereof "prior to July 1, 1949".

Approved June 30, 1947.

## [CHAPTER 166]

## JOINT RESOLUTION

June 30, 1947  
[S. J. Res. 135]  
[Public Law 132]

To extend the succession, lending powers, and the functions of the Reconstruction Finance Corporation.

Reconstruction Finance Corporation Act, amendment.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*,

# TITLE I—AMENDMENT TO RECONSTRUCTION FINANCE CORPORATION ACT

47 Stat. 5.  
15 U. S. C. § 601 *et seq.*  
Creation.

SECTION 1. The Reconstruction Finance Corporation Act, as amended, is hereby amended to read as follows:

Principal office.

Short title.

Board of directors.

Terms of directors.

Salaries.

Period of succession.  
Powers.

"SEC. 1. There is hereby created a body corporate with the name 'Reconstruction Finance Corporation' (herein called the Corporation), with a capital stock of \$325,000,000 subscribed by the United States of America. Its principal office shall be located in the District of Columbia, but there may be established agencies or branch offices in any city or cities of the United States under rules and regulations prescribed by the board of directors. This Act may be cited as the 'Reconstruction Finance Corporation Act'.

"SEC. 2. The management of the Corporation shall be vested in a board of directors consisting of five persons appointed by the President of the United States by and with the advice and consent of the Senate. Of the five members of the board, not more than three shall be members of any one political party and not more than one shall be appointed from any one Federal Reserve district. Each director shall devote his time principally to the business of the Corporation. The terms of the directors shall be two years but they may continue in office until their successors are appointed and qualified. Whenever a vacancy shall occur other than by expiration of term the person appointed to fill such vacancy shall hold office for the unexpired portion of the term of the director whose place he is selected to fill. The directors, except the chairman, shall receive salaries at the rate of \$12,500 per annum each. The chairman of the board of directors shall receive a salary at the rate of \$15,000 per annum.

"SEC. 3. (a) The Corporation shall have succession through June 30, 1948, unless it is sooner dissolved by an Act of Congress. It shall have power to adopt, alter, and use a corporate seal; to make contracts; to lease or purchase such real estate as may be necessary for

the transaction of its business; to sue and be sued, to complain and to defend, in any court of competent jurisdiction, State or Federal: *Provided*, That the Corporation shall be entitled to and granted the same immunities and exemptions from the payment of costs, charges, and fees as are granted to the United States pursuant to the provisions of law codified in sections 543, 548, 555, 557, 578, and 578a of title 28 of the United States Code, 1940 edition; to select, employ, and fix the compensation of such officers, employees, attorneys, and agents as shall be necessary for the transaction of the business of the Corporation, in accordance with laws, applicable to the Corporation, as in effect on June 30, 1947, and as thereafter amended; and to prescribe, amend, and repeal, by its board of directors, bylaws, rules, and regulations governing the manner in which its general business may be conducted. Except as may be otherwise provided in this Act or in the Government Corporation Control Act, the board of directors of the Corporation shall determine the necessity for and the character and amount of its obligations and expenditures under this Act and the manner in which they shall be incurred, allowed, paid, and accounted for, without regard to the provisions of any other laws governing the expenditure of public funds and such determinations shall be final and conclusive upon all other officers of the Government. The Corporation shall be entitled to the use of the United States mails in the same manner as the executive departments of the Government.

“(b) Notwithstanding any other provision of law, the right to recover compensation granted by the Act approved September 7, 1916, as amended (5 U. S. C., sec. 751), shall be in lieu of, and shall be construed to abrogate, any and all other rights and remedies which any person, except for this provision, might, on account of injury or death of an employee, assert against the Corporation or any of its subsidiaries.

“SEC. 4. (a) To aid in financing agriculture, commerce, and industry, to help in maintaining the economic stability of the country and to assist in promoting maximum employment and production, the Corporation, within the limitations hereinafter provided, is authorized—

“(1) To purchase the obligations of and to make loans to any business enterprise organized or operating under the laws of any State or the United States: *Provided*, That the purchase of obligations (including equipment trust certificates) of, or the making of loans to, railroads or air carriers engaged in interstate commerce or receivers or trustees thereof, shall be with the approval of the Interstate Commerce Commission or the Civil Aeronautics Board, respectively: *Provided further*, That in the case of railroads or air carriers not in receivership or trusteeship, the Commission or the Board, as the case may be, in connection with its approval of such purchases or loans, shall also certify that such railroad or air carrier, on the basis of present and prospective earnings, may be expected to meet its fixed charges without a reduction thereof through judicial reorganization except that such certificates shall not be required in the case of loans or purchases made for the acquisition of equipment or for maintenance.

“(2) To make loans to any financial institution organized under the laws of any State or of the United States.

“(3) In order to aid in financing projects authorized under Federal, State, or municipal law, to purchase the securities and obligations of, or make loans to, (A) municipalities and political subdivisions of States, (B) public agencies and instrumentalities of one or more States, municipalities, and political subdivisions of States, and (C) public corporations, boards, and commissions:

26 Stat. 826; 43 Stat. 857, 858; 40 Stat. 1182; 29 Stat. 179, 186.

59 Stat. 597.  
31 U. S. C. §§ 841-869.  
*Post*, p. 584.

Use of U. S. mails.

Injury or death of employee.

39 Stat. 742.  
5 U. S. C. §§ 751-791, 793.

Authority of RFC to aid in financing agriculture, commerce, etc.

Purchase of obligations of business enterprises, etc.

Loans to financial institutions.

Financing of projects, etc.



Restriction.	<i>Provided</i> , That no such purchase or loan shall be made for payment of ordinary governmental or nonproject operating expenses as distinguished from purchases and loans to aid in financing specific public projects.
Floods, etc.	"(4) To make such loans, in an aggregate amount not to exceed \$25,000,000 outstanding at any one time, as it may determine to be necessary or appropriate because of floods or other catastrophes.
Availability of assistance, etc.	"(b) No financial assistance shall be extended pursuant to paragraphs (1), (2), and (3) of subsection (a) of this section, unless the financial assistance applied for is not otherwise available on reasonable terms. All securities and obligations purchased and all loans made under paragraphs (1), (2), and (3) of subsection (a) of this section shall be of such sound value or so secured as reasonably to assure retirement or repayment and such loans may be made either directly or in cooperation with banks or other lending institutions through agreements to participate or by the purchase of participations, or otherwise.
Total amount of loans, etc.	"(c) The total amount of investments, loans, purchases, and commitments made pursuant to this section 4 shall not exceed \$2,000,000,000 outstanding at any one time.
Payment of fee, etc., by applicant.	"(d) No fee or commission shall be paid by any applicant for financial assistance under the provisions of this Act in connection with any such application, and any agreement to pay or payment of any such fee or commission shall be unlawful.
Participation by RFC employees in questions affecting personal interests, etc.	"(e) No director, officer, attorney, agent, or employee of the Corporation in any manner, directly or indirectly, shall participate in the deliberation upon or the determination of any question affecting his personal interests, or the interests of any corporation, partnership, or association in which he is directly or indirectly interested.
Termination of powers.	"(f) The powers granted to the Corporation by this section shall terminate at the close of business on June 30, 1948, but the termination of such powers shall not be construed (1) to prohibit disbursement of funds on purchases of securities and obligations, on loans, or on commitments or agreements to make such purchases or loans, made under this Act prior to the close of business on such date, or (2) to affect the validity or performance of any other agreement made or entered into pursuant to law.
"State."	"(g) As used in this Act, the term 'State' includes the District of Columbia, Alaska, Hawaii, and Puerto Rico.
12 U. S. C. § 82.	"SEC. 5. Section 5202 of the Revised Statutes of the United States, as amended, is hereby amended by striking out the words 'War Finance Corporation Act' and inserting in lieu thereof the words 'Reconstruction Finance Corporation Act'.
Authority of Federal reserve banks to act as agents, etc.	"SEC. 6. The Federal Reserve banks are authorized and directed to act as custodians and fiscal agents for the Corporation in the general performance of its powers conferred by this Act and the Corporation may reimburse such Federal Reserve banks for such services in such manner as may be agreed upon.
Issuance of notes, etc., to Secretary of Treasury.	"SEC. 7. The Corporation may issue to the Secretary of the Treasury its notes, debentures, bonds, or other such obligations in an amount outstanding at any one time sufficient to enable the Corporation to carry out its functions under this Act or any other provision of law, such obligations to mature not more than five years from their respective dates of issue, to be redeemable at the option of the Corporation before maturity in such manner as may be stipulated in such obligations. Such obligations may mature subsequent to the period of succession of the Corporation. Each such obligation shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average rate on outstanding marketable

obligations of the United States as of the last day of the month preceding the issuance of the obligation of the Corporation. The Secretary of the Treasury is authorized to purchase any obligations of the Corporation to be issued hereunder, and for such purpose the Secretary of the Treasury is authorized to use as a public-debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under the Second Liberty Bond Act, as amended, are extended to include any purchases of the Corporation's obligations hereunder.

40 Stat. 288.  
31 U. S. C. § 774 (2).

"SEC. 8. The Corporation, including its franchise, capital, reserves and surplus, and its income shall be exempt from all taxation now or hereafter imposed by the United States, by any Territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority, except that any real property of the Corporation shall be subject to special assessments for local improvements and shall be subject to State, Territorial, county, municipal, or local taxation to the same extent according to its value as other real property is taxed: *Provided*, That the special assessment and taxation of real property as authorized herein shall not include the taxation as real property of possessory interests, pipe lines, power lines, or machinery or equipment owned by the Corporation regardless of their nature, use, or manner of attachment or affixation to the land, building, or other structure upon or in which the same may be located. The exemptions provided for in the preceding sentence with respect to taxation (which shall, for all purposes, be deemed to include sales, use, storage, and purchase taxes) shall be construed to be applicable not only with respect to the Corporation but also with respect to any other public corporation which is now or which may be hereafter wholly financed and wholly managed by the Corporation. Such exemptions shall also be construed to be applicable to loans made, and personal property owned by the Corporation or such other corporations, but such exemptions shall not be construed to be applicable in any State to any buildings which are considered by the laws of such State to be personal property for taxation purposes. Notwithstanding any other provision of law or any privilege or consent to tax expressly or impliedly granted thereby, the shares of preferred stock of national banking associations, and the shares of preferred stock, capital notes, and debentures of State banks and trust companies, acquired prior to July 1, 1947, by the Corporation, and the dividends or interest derived therefrom by the Corporation, shall not, so long as the Corporation shall continue to own the same, be subject to any taxation by the United States, by any Territory, dependency or possession thereof, or the District of Columbia, or by any State, county, municipality, or local taxing authority, whether now, heretofore, or hereafter imposed, levied, or assessed, and whether for a past, present, or future taxing period.

Exemption from  
taxation.

Exception.

Other public cor-  
porations financed,  
etc., by RFC.

"SEC. 9. In the event of termination of the powers granted to the Corporation by section 4 of this Act prior to the expiration of its succession as provided in section 3, the board of directors shall, except as otherwise herein specifically authorized, proceed to liquidate its assets and wind up its affairs. It may with the approval of the Secretary of the Treasury deposit with the Treasurer of the United States as a special fund any money belonging to the Corporation or from time to time received by it in the course of liquidation, for the payment of its outstanding obligations, which fund may be drawn upon or paid out for no other purpose. Any balance remaining after the liquidation of all the Corporation's assets and after provision has been made for payment of all legal obligations shall be paid into the

Termination of  
powers prior to ex-  
piration of succession.

Treasury of the United States as miscellaneous receipts. Thereupon the Corporation shall be dissolved and its capital stock shall be canceled and retired.

Transfer of duty of  
completing liquida-  
tion, etc.

"SEC. 10. If at the expiration of the succession of the Corporation, its board of directors shall not have completed the liquidation of its assets and the winding up of its affairs, the duty of completing such liquidation and winding up of its affairs shall be transferred to the Secretary of the Treasury, who for such purpose shall succeed to all the powers and duties of the board of directors under this Act. In such event he may assign to any officer or officers of the United States in the Treasury Department the exercise and performance, under his general supervision and direction, of any such powers and duties. When the Secretary of the Treasury shall find that such liquidation will no longer be advantageous to the United States and that all of the Corporation's legal obligations have been provided for, he shall retire any capital stock then outstanding, pay into the Treasury as miscellaneous receipts the unused balance of the moneys belonging to the Corporation, and make a final report to the Congress. Thereupon the Corporation shall be deemed to be dissolved.

Report to Congress,  
etc.

Penalty for false  
statement, etc.

"SEC. 11. (a) Whoever makes any statement knowing it to be false, or whoever willfully overvalues any security, for the purpose of obtaining for himself or for any applicant any loan, or extension thereof by removal, deferment of action or otherwise, or the acceptance, release, or substitution of security therefor, or for the purpose of influencing in any way the action of the Corporation, or for the purpose of obtaining money, property, or anything of value, under this Act, shall be punished by a fine of not more than \$5,000 or by imprisonment for not more than two years, or both.

Penalty for coun-  
terfeiting, etc.

"(b) Whoever (1) falsely makes, forges, or counterfeits any note, debenture, bond, or other obligation, or coupon, in imitation of or purporting to be a note, debenture, bond, or other obligation, or coupon, issued by the Corporation; or (2) passes, utters, or publishes, or attempts to pass, utter or publish, any false, forged or counterfeited note, debenture, bond, or other obligation, or coupon, purporting to have been issued by the Corporation, knowing the same to be false, forged, or counterfeited; or (3) falsely alters any note, debenture, bond, or other obligation, or coupon, issued or purporting to have been issued by the Corporation; or (4) passes, utters, or publishes, or attempts to pass, utter, or publish, as true any falsely altered or spurious note, debenture, bond, or other obligation, or coupon, issued or purporting to have been issued by the Corporation, knowing the same to be falsely altered or spurious, or any person who willfully violates any other provision of this Act, shall be punished by a fine of not more than \$10,000, by imprisonment for not more than five years, or both.

Penalty for embez-  
zlement, etc.

"(c) Whoever, being connected in any capacity with the Corporation, (1) embezzles, abstracts, purloins, or willfully misapplies any moneys, funds, securities, or other things of value, whether belonging to it or pledged or otherwise entrusted to it; or (2) with intent to defraud the Corporation or any other body politic or corporate, or any individual, or to deceive any officer, auditor, or examiner of the Corporation, makes any false entry in any book, report, or statement of or to the Corporation, or, without being duly authorized, draws any order or issues, puts forth, or assigns any note, debenture, bond, or other obligation, or draft, bill of exchange, mortgage, judgment, or decree thereof; or (3) with intent to defraud participates, shares, receives directly or indirectly any money, profit, property, or benefit through any transaction, loan, commission, contract, or any other act

of the Corporation; or (4) gives any unauthorized information concerning any future action or plan of the Corporation which might affect the value of securities, or having such knowledge, invests or speculates, directly or indirectly, in the securities or property of any company, bank, or corporation receiving loans or other assistance from the Corporation, shall be punished by a fine of not more than \$10,000 or by imprisonment for not more than five years, or both.

“(d) No individual, association, partnership, or corporation shall use the words ‘Reconstruction Finance Corporation’ or a combination of these three words, as the name or a part thereof under which he or it shall do business. Every individual, partnership, association, or corporation violating this prohibition shall be guilty of a misdemeanor and shall be punished by a fine of not exceeding \$1,000 or imprisonment not exceeding one year, or both.

Restriction on use of name.

“(e) The provisions of sections 112, 113, 114, 115, 116, and 117 of the Criminal Code of the United States (U. S. C., title 18, ch. 5, secs. 202 to 207, inclusive), insofar as applicable, are extended to apply to contracts or agreements with the Corporation under this Act, which for the purposes hereof shall be held to include loans, advances, discounts, and rediscounts; extensions and renewals thereof; and acceptances, releases, and substitutions of security therefor.

35 Stat. 1108, 1109.

“SEC. 12. The Corporation is authorized to exercise the functions, powers, duties, and authority transferred to the Corporation by Public Law 109, Seventy-ninth Congress, approved June 30, 1945, but only with respect to programs, projects, or commitments outstanding on June 30, 1947.

59 Stat. 310.  
15 U. S. C. § 606b  
note.

“SEC. 13. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the validity of the remainder of this Act, and the applicability of such provision to other persons or circumstances, shall not be affected thereby.”

Separability of provisions.

## TITLE II—MISCELLANEOUS

SEC. 201. No provision of this Act shall be construed so as to prevent the Corporation from disbursing funds on purchases of securities and obligations, on loans made, or on commitments or agreements to make such purchases or loans, or on liabilities incurred, pursuant to law prior to the effective date of this Act.

Prior disbursement of funds on purchase of securities, etc.

SEC. 202. The succession of U. S. Commercial Company, a corporation created by the Reconstruction Finance Corporation pursuant to section 5d (3) of the Reconstruction Finance Corporation Act, as amended, is hereby extended through June 30, 1948.

Extension of succession of U. S. Commercial Co.  
54 Stat. 573, 961.  
15 U. S. C. § 606b (3).

SEC. 203. All assets and liabilities of every kind and nature, together with all documents, books of account, and records, of The RFC Mortgage Company, a corporation organized under the laws of the State of Maryland, all the capital stock of which is owned and held by the Reconstruction Finance Corporation, shall be transferred to the Reconstruction Finance Corporation. With respect to the assets, liabilities, and records transferred, “Reconstruction Finance Corporation” for all purposes is hereby substituted for “The RFC Mortgage Company”, and no suit, action, or other proceeding lawfully commenced by or against such corporation shall abate by reason of the enactment of this Act, but the court, on motion or supplemental petition filed at any time within twelve months after the date of such enactment, showing a necessity for the survival of such suit, action, or other proceeding to obtain a determination of the questions involved, may allow the same to be maintained by or against the Reconstruction Finance Corporation.

Transfer of assets, etc., of The RFC Mortgage Co.

Abolition of Federal Loan Agency.  
53 Stat. 1429.  
5 U. S. C. § 133t note.

53 Stat. 561.  
5 U. S. C. §§ 133-133r.

Transfer of stock of Federal home-loan banks, etc.

SEC. 204. The Federal Loan Agency, created by Reorganization Plan Numbered 1 pursuant to the provisions of the Reorganization Act of 1939, approved April 3, 1939, is hereby abolished, and all its property and records are hereby transferred to the Reconstruction Finance Corporation.

SEC. 205. The Reconstruction Finance Corporation is authorized and directed to transfer as soon as practicable after the effective date of this Act, to the Secretary of the Treasury, and the Secretary of the Treasury is authorized and directed to receive, all of the stock of the Federal home-loan banks held by the Reconstruction Finance Corporation. The Secretary of the Treasury shall cancel notes of the Reconstruction Finance Corporation, and sums due and unpaid upon or in connection with such notes at the time of such cancellation, in an amount equal to the par value of the stock so transferred.

SEC. 206. Section 201 (e) of the Emergency Relief and Construction Act of 1932, approved July 21, 1932 (47 Stat. 709), as amended, and section 84 of the Farm Credit Act of 1933, approved June 16, 1933 (48 Stat. 257), as amended, are hereby further amended by striking out the name "Reconstruction Finance Corporation" wherever it appears in such sections and substituting therefor the name "Farm Credit Administration".

47 Stat. 713; 48 Stat. 273.  
12 U. S. C. §§ 1148, 1148a.

#### Repeals.

15 U. S. C. §§ 605-605d, 608, 609a, 602, 603, 609.

48 Stat. 6.  
12 U. S. C. § 51d.

48 Stat. 45, 49, 50.  
12 U. S. C. § 963a;  
43 U. S. C. §§ 403, 404;  
15 U. S. C. § 609c.

48 Stat. 33, 41; 49 Stat. 753.  
7 U. S. C. §§ 605, 619 (c), 608b.  
15 U. S. C. §§ 605, 605b, 605e-605j.

12 U. S. C. § 1463(b).

48 Stat. 210.  
15 U. S. C. § 609b;  
40 U. S. C. § 412 note.  
48 Stat. 48.  
12 U. S. C. § 1016.

15 U. S. C. §§ 604a, 609b-1.

15 U. S. C. §§ 609d, 609e.

48 Stat. 1110-1113.  
15 U. S. C. §§ 608b, 608c-608e.  
55 Stat. 55.  
12 U. S. C. §§ 1705, 1737.

49 Stat. 4, 5.  
15 U. S. C. §§ 603a, 713b, 605f, 607a.  
15 U. S. C. §§ 606j, 608k.  
12 U. S. C. §§ 51d-51f.  
15 U. S. C. § 713a.  
15 U. S. C. § 613c.

The following Acts and portions of Acts are hereby repealed:

(a) Sections 1, 201 (except subsection (e) thereof), 202, 203, 204, 205, 206, 207, 208, 209, and 211 of the Emergency Relief and Construction Act of 1932, approved July 21, 1932 (47 Stat. 709), as amended;

(b) Section 304 of the Act approved March 9, 1933 (48 Stat. 1), as amended;

(c) Sections 27, 36, 37, and 38 of the Emergency Farm Mortgage Act of 1933, approved May 12, 1933 (48 Stat. 41), as amended;

(d) Sections 5 and 19 (c) and the last two sentences of section 8 (b) of the Agricultural Adjustment Act, approved May 12, 1933 (48 Stat. 33), as amended;

(e) The Act approved June 10, 1933 (48 Stat. 119), as amended;

(f) The last sentence of section 4 (b) of the Home Owners' Loan Act of 1933, approved June 13, 1933 (48 Stat. 129), as amended;

(g) Sections 301 and 302 of the National Industrial Recovery Act, approved June 16, 1933 (48 Stat. 195), as amended;

(h) So much of section 32 of the Emergency Farm Mortgage Act of 1932 (48 Stat. 41), as amended, as authorizes or directs the Reconstruction Finance Corporation to make funds available to the Land Bank Commissioner;

(i) The Act approved January 20, 1934 (48 Stat. 318);

(j) The fourth paragraph of the Emergency Appropriation Act, fiscal year 1935, approved June 19, 1934 (48 Stat. 1056), and section 202 of the Public Works Administration Extension Act of 1937, approved June 29, 1937 (50 Stat. 357);

(k) Sections 10, 13, 14, 15, and 16 of the Act approved June 19, 1934 (48 Stat. 1105), as amended;

(l) So much of sections 4 and 602 of the National Housing Act, approved June 27, 1934 (48 Stat. 1247), as amended, as relates to the Reconstruction Finance Corporation;

(m) The first section and sections 9, 11, and 13 of the Act approved January 31, 1935 (49 Stat. 1), as amended;

(n) The Act approved August 24, 1935 (49 Stat., ch. 646, p. 796);

(o) The Act approved March 20, 1936 (49 Stat. 1185);

(p) The Act approved April 10, 1936 (49 Stat., ch. 168, p. 1191);

(q) The first section of the Act approved January 26, 1937 (50 Stat. 5), as amended;

(r) The Act approved February 11, 1937 (50 Stat. 19), as amended;  
 (s) So much of section 32 (b) of the Farm Credit Act of 1937, approved August 19, 1937 (50 Stat. 703), as relates to the Reconstruction Finance Corporation and so much of section 33 (b) of the said Act as relates to the payment of the expenses of corporations formed by the consolidation of two or more regional agricultural credit corporations;

(t) So much of the Act approved June 25, 1938 (52 Stat. 1193), as relates to the Reconstruction Finance Corporation;

(u) Section 12 of the Federal Highway Act of 1940, approved September 5, 1940 (54 Stat. 867);

(v) Section 5 of the Act approved June 10, 1941 (55 Stat. 250);

(w) The Act approved October 23, 1941 (55 Stat., ch. 454, p. 744);

(x) The Act approved March 27, 1942 (56 Stat., ch. 198, p. 174);

(y) The Act approved June 5, 1942 (56 Stat., ch. 352, p. 326); and

(z) Sections 1 and 2 of Public Law 656, 79th Congress, approved August 7, 1946.

SEC. 207. The liquidation of the affairs of the Smaller War Plants Corporation administered by the Reconstruction Finance Corporation pursuant to Executive Order 9665 shall be carried out by the Reconstruction Finance Corporation, notwithstanding the provisions of the last paragraph of section 5 of the First War Powers Act, 1941. The Smaller War Plants Corporation is hereby abolished.

SEC. 208. (a) The Reconstruction Finance Corporation shall have the power to purchase any surplus property for resale, subject to regulations of the War Assets Administrator or his successor, to small business when, in its judgment, such disposition is required to preserve and strengthen the competitive position of small business. The purchase of surplus property under this section shall be given priority under the Surplus Property Act of 1944, as amended, immediately following transfers to Government agencies under section 12 of such Act, as amended, and disposals to veterans under section 16 of such Act, as amended. The provisions of section 12 (c) of the Surplus Property Act of 1944, as amended, shall be applicable to purchases made under this section. The Reconstruction Finance Corporation shall not purchase any real property for resale to small business pursuant to this section in any case where any person from whom the property had been acquired by a Government agency, gives notice in writing to the Reconstruction Finance Corporation that he intends to exercise his rights under section 23 of the Surplus Property Act, as amended.

(b) The Reconstruction Finance Corporation is further authorized for the purpose of carrying out the objectives of this section to arrange for sales of surplus property to small business concerns on credit or time basis.

(c) For the purposes of this section the terms "persons", "surplus property", and "Government agency" have the same meaning as is assigned to such terms by section 3 of the Surplus Property Act of 1944, as amended.

SEC. 209. During the period between June 30, 1947, and the date of enactment of legislation making funds available for administrative expenses for the fiscal year ending June 30, 1948, the Corporation is authorized to incur, and pay out of its general funds, administrative expenses in accordance with laws in effect on June 30, 1947, such obligations and expenditures to be charged against funds when made available for administrative expenses for the fiscal year 1948.

SEC. 210. This Act shall take effect as of midnight June 30, 1947.

Approved June 30, 1947.

15 U. S. C. § 605k-1 note.

50 Stat. 716, 717.  
 12 U. S. C. §§ 1148b (b), 1148c (b).

54 Stat. 871.  
 15 U. S. C. § 606l.  
 15 U. S. C. § 609o.  
 15 U. S. C. § 609p.  
 15 U. S. C. §§ 606b, 606b-1, 606b-2, 609q.  
 15 U. S. C. § 609r.  
 60 Stat. 901.  
 15 U. S. C. §§ 604, 606b, 606b-4, 606b-5, 614.

Abolition of Smaller War Plants Corp., etc.

50 U. S. C. app. § 1104 note.

55 Stat. 839.  
 50 U. S. C. app. § 605.

Purchase of surplus property.

58 Stat. 765.  
 50 U. S. C. app. §§ 1611-1646.  
*Post*, p. 678.  
 58 Stat. 770.  
 50 U. S. C. app. § 1621.  
 58 Stat. 773.  
 50 U. S. C. app. § 1625.

58 Stat. 777.  
 50 U. S. C. app. § 1632.

"Persons"; "surplus property"; "Government agency."

58 Stat. 767.  
 50 U. S. C. app. § 1612.  
 Authority to incur and pay administrative expenses.

Effective date.

## [CHAPTER 167]

## JOINT RESOLUTION

June 30, 1947  
[H. J. Res. 167]  
[Public Law 133]

To recognize uncompensated services rendered the Nation under the Selective Training and Service Act of 1940, as amended, and for other purposes.

Selective Service  
System.  
Certificates of separation for uncompensated personnel.

54 Stat. 885.  
50 U. S. C. app.  
§§ 301-318.

*Supra.*

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Congress declares that many members of local boards, boards of appeal, Government appeal agents, examining physicians and dentists, and other uncompensated personnel of the Selective Service System have, in a manner which is an example of patriotism, served the United States in the administration of the Selective Training and Service Act of 1940, as amended. This service has been voluntary and uncompensated and in many cases has resulted in great sacrifices on the part of these citizens.

That in accordance with the historic policy of the United States to recognize and publicly acknowledge the gratitude of the people and the Government of the United States for patriotic service, the Director of Selective Service is directed to issue to such uncompensated personnel of the Selective Service System, upon the expiration of the Selective Training and Service Act of 1940, as amended, suitable certificates of separation.

Approved June 30, 1947.

## [CHAPTER 168]

## AN ACT

June 30, 1947  
[H. R. 1362]  
[Public Law 134]

To permit certain naval personnel to count all active service rendered under temporary appointment as warrant or commissioned officers in the United States Navy and the United States Naval Reserve, or in the United States Marine Corps and the United States Marine Corps Reserve, for purposes of promotion to commissioned warrant officer in the United States Navy or the United States Marine Corps, respectively.

Warrant officers,  
Navy or Marine Corps.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all active service, for purposes other than training, under a permanent or temporary appointment as warrant or commissioned officer in the Regular or Reserve forces of the United States Navy or the United States Marine Corps shall be included in the computation of the six-year period of service required for eligibility for promotion from warrant officer to commissioned warrant officer, with permanent appointment, in the service in which the permanent or temporary appointment was held: *Provided,* That no back pay or allowances shall be allowed by reason of the passage of this Act.

Approved June 30, 1947.

## [CHAPTER 169]

## AN ACT

June 30, 1947  
[H. R. 1807]  
[Public Law 135]

To authorize the Secretary of the Navy to grant to the county of Pittsburg, Oklahoma, a perpetual easement for the construction, maintenance, and operation of a public highway over a portion of the United States naval ammunition depot, McAlester, Oklahoma.

Pittsburg County,  
Okla.  
Conveyance.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy be, and he is hereby, authorized to grant and convey to the county of Pittsburg, State of Oklahoma, upon such terms and conditions as he may prescribe, a perpetual easement for the construction, maintenance, and operation of a public highway upon and over a strip of land containing three and twenty-two one-hundredths acres, being a portion of the United States naval ammunition depot, McAlester, Oklahoma, the metes and bounds description of which is on file in the Navy Department.

Approved June 30, 1947.

## [CHAPTER 170]

## AN ACT

To amend the Act entitled "An Act authorizing the designation of Army mail clerks and assistant Army mail clerks", approved August 21, 1941 (55 Stat. 656), and for other purposes.

June 30, 1947  
[H. R. 2339]  
[Public Law 136]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act of Congress approved August 21, 1941, chapter 392 (55 Stat. 656), be amended by striking out the last sentence thereof.

39 U. S. C. § 138.

Approved June 30, 1947.

## [CHAPTER 171]

## AN ACT

To authorize patenting of certain lands to Public Hospital District Numbered 2, Clallam County, Washington, for hospital purposes.

June 30, 1947  
[H. R. 2411]  
[Public Law 137]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is authorized and directed to patent lots 2 and 3, block 33, as shown on the official supplemental plat of survey of block 33, located in the city of Port Angeles, State of Washington, accepted March 24, 1923, containing seven and sixty-four one-hundredths acres, to Public Hospital District Numbered 2, Clallam County, Washington, for hospital purposes.

Public Hospital  
District Numbered 2,  
Clallam County,  
Wash.  
Conveyance.

Sec. 2. The patent conveying title to the lands described in the first section of this Act shall (1) contain a reservation to the United States of all minerals, including coal, oil, and gas, together with the right to prospect for, mine, and remove the same under regulations to be prescribed by the Secretary of the Interior; and (2) provide that if, at any time, the Secretary of the Interior finds that Public Hospital District Numbered 2, Clallam County, Washington, has ceased to use the land, or any part thereof, for hospital purposes, or has alienated or attempted to alienate, the same, title to such land, or part thereof, shall thereupon revert to the United States.

Mineral rights, etc.

Reversion of title.

Approved June 30, 1947.

## [CHAPTER 172]

## AN ACT

To provide funds for cooperation with the school board of the Moclips-Aloha District for the construction and equipment of a new school building in the town of Moclips, Grays Harbor County, Washington, to be available to both Indian and non-Indian children.

June 30, 1947  
[H. R. 2545]  
[Public Law 138]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, \$88,000 for expenditure under the direction of the Secretary of the Interior for the purpose of cooperating with the school board of Moclips-Aloha District, Grays Harbor County, Washington, for the construction and equipment of a new school building in the town of Moclips, Grays Harbor County, Washington: *Provided,* That the expenditure of any money so authorized shall be subject to the express conditions that the school maintained by the said district in the said building shall be available to all Indian children of the district on the same terms, except as to payment of tuition, as other children of said school district: *And provided further,* That any amount expended hereunder shall be recouped by the United States within a period of thirty years, commencing with the date of occupancy of the building, through reducing the annual Federal payments for

Construction, etc.,  
of school, Moclips,  
Wash.  
Appropriation au-  
thorized.  
*Post*, p. 699.

Availability of  
school to Indian chil-  
dren.

Recoupment.



the education of Indian pupils enrolled in public or high schools of the district involved or by the acceptance of Indian pupils in said schools without cost to the United States, and in computing the amount of recoupment, interest at 3 per centum per annum shall be included on any unrecouped balances.

Approved June 30, 1947.

[CHAPTER 173]

AN ACT

June 30, 1947  
[H. R. 2654]  
[Public Law 139]

To authorize the Secretary of the Treasury to grant to the Mayor and City Council of Baltimore, State of Maryland, a permanent easement for the purpose of installing, maintaining, and servicing a subterranean water main in, on, and across the land of the United States Coast Guard station called "Lazaretto depot", Baltimore, Maryland.

Mayor and City  
Council of Baltimore,  
Md.  
Easement.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is hereby authorized and directed to grant to the Mayor and City Council of Baltimore, a municipal corporation of the State of Maryland, a permanent easement for the purpose of installing, maintaining, and servicing a subterranean water main and its usual appurtenances in, on, and across the land of the United States Coast Guard station called "Lazaretto depot", under such terms and conditions as he may determine to be not inconsistent with the use of such land for the purpose of said depot.

Approved June 30, 1947.

[CHAPTER 174]

AN ACT

June 30, 1947  
[H. R. 2655]  
[Public Law 140]

To authorize the Secretary of the Interior to grant to the Mayor and City Council of Baltimore, State of Maryland, a permanent easement for the purpose of installing, maintaining, and servicing two subterranean water mains in, on, and across the land of Fort McHenry National Monument and Historic Shrine, Maryland.

Mayor and City  
Council of Baltimore,  
Md.  
Easement.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is hereby authorized and directed to grant to the Mayor and City Council of Baltimore, a municipal corporation of the State of Maryland, a permanent easement for the purpose of installing, maintaining, and servicing two subterranean water mains and their usual appurtenances in, on, and across the land of the Fort McHenry National Monument and Historic Shrine, under such terms and conditions as he may determine to be not inconsistent with the use of such land for purposes of the said shrine.

Approved June 30, 1947.

[CHAPTER 175]

AN ACT

June 30, 1947  
[H. R. 3124]  
[Public Law 141]

To authorize the attendance of the Marine Band at the Eighty-first National Encampment of the Grand Army of the Republic to be held in Cleveland, Ohio, August 10 to 14, 1947.

Marine Band.  
Attendance at  
G. A. R. encampment.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is authorized to permit the band of the United States Marine Corps to attend and give concerts at the Eighty-first National Encampment of the Grand Army of the Republic to be held in Cleveland, Ohio, August 10 to 14, 1947.

Appropriation au-  
thorized.

SEC. 2. For the purpose of defraying the expenses of such band in attending and giving concerts at such convention, there is hereby

authorized to be appropriated a sufficient sum to cover the cost of transportation and pullman accommodations for the leaders and members of the Marine Band, and allowance not to exceed \$6 per day each for additional traveling and living expenses while on duty, such allowances to be in addition to the pay and allowance to which they would be entitled while serving their permanent station.

Approved June 30, 1947.

[CHAPTER 181]

AN ACT

Providing for the suspension of annual assessment work on mining claims held by location in the Territory of Alaska.

June 30, 1947  
[H. R. 2369]  
[Public Law 142]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the provision of section 2324 of the Revised Statutes of the United States, which requires on each mining claim located, and until a patent has been issued therefor, not less than \$100 worth of labor to be performed or improvements aggregating such amount to be made each year, be, and the same is hereby, suspended as to all mining claims in the Territory of Alaska, until the hour of 12 o'clock meridian on the 1st day of July 1948: *Provided*, That every claimant of any such mining claim in order to obtain the benefits of this Act shall file, or cause to be filed, in the office where the location notice or certificate is recorded, on or before 12 o'clock meridian of July 1, 1948, a notice of his desire to hold said mining claim under this Act.

30 U. S. C. § 28.

Approved June 30, 1947.

[CHAPTER 182]

AN ACT

To amend the Bankruptcy Act with respect to qualifications of part-time referees in bankruptcy.

June 30, 1947  
[H. R. 3769]  
[Public Law 143]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the proviso to clause (2) of section 35 of the Act of July 1, 1898, entitled "An Act to establish a uniform system of bankruptcy throughout the United States", as amended, is amended by inserting after "notaries public," the following new language: "retired officers and retired enlisted personnel of the Regular and Reserve components of the Army, Navy, Marine Corps, and Coast Guard, members of the Reserve components of the Army, Navy, Marine Corps, and Coast Guard, members of the National Guard of the United States and of the National Guard of a State, Territory, or the District of Columbia, except the National Guard disbursing officers who are on a full time salary basis,"

Bankruptcy Act of  
1898, amendment.

30 Stat. 555.  
11 U. S. C. § 63.

Approved June 30, 1947.

[CHAPTER 183]

JOINT RESOLUTION

To provide for permanent rates of postage on mail matter of the first class, and for other purposes.

June 30, 1947  
[H. J. Res. 221]  
[Public Law 144]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the rate of postage on all mail matter of the first class (except postal cards and private mailing or post cards) shall be 3 cents for each ounce or fraction thereof: *Provided*, That drop letters shall be charged at the rate of 1 cent for each ounce or fraction thereof when mailed for local delivery at post offices where free delivery by carrier is not established and

Postage rates.

30 Stat. 419.

Fourth-class mail,  
registry fees, etc.39 U. S. C. §§ 245,  
246 notes.60 Stat. 1062.  
39 U. S. C. §§ 462a,  
463 and notes.

Effective date.

when they are not collected or delivered by rural or star-route carriers. The rate of postage on postal cards (including the cost of manufacture) and private mailing or post cards (conforming to the conditions prescribed by the Act entitled "An Act to amend the postal laws relating to use of postal cards", approved May 19, 1898 (U. S. C., 1940 edition, title 39, sec. 281)), shall be 1 cent each.

SEC. 2. The increases in the rates of postage on mail matter of the fourth class, and the increases in the registry fees for registered mail, fees for obtaining receipts for registered mail, and fees for delivery of registered, insured, and collect-on-delivery mail to addressee only, or to addressee or order, prescribed by title IV of the Revenue Act of 1943 (58 Stat. 69, 70), as amended by the Act of September 17, 1944 (58 Stat. 732), entitled "An Act to fix the fees for domestic insured and collect-on-delivery mail, special-delivery service, and for other purposes", and by the Act of August 14, 1946 (Public Law 730, Seventy-ninth Congress; second session), entitled "An Act to fix the rate of postage on domestic air mail, and for other purposes", shall continue in full force and effect.

SEC. 3. This Act shall take effect on July 1, 1947.

Approved June 30, 1947.

## [CHAPTER 184]

## JOINT RESOLUTION

June 30, 1947  
[S. J. Res. 139]  
[Public Law 145]

To continue for a temporary period of fifteen days certain controls now exercised by the President under the Second War Powers Act, 1942, and under the Export Control Act.

56 Stat. 187, 463; 60  
Stat. 345, 215.  
50 U. S. C. app.  
§§ 645, 701(d).

*Ante*, p. 34; *post*, pp.  
322, 323, 946.

Appropriation au-  
thorized.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 1501 of the Second War Powers Act, 1942, as amended, is amended by striking out "June 30, 1947" and inserting in lieu thereof "July 15, 1947"; and section 6 (d) of the Act entitled "An Act to expedite the strengthening of the national defense", approved July 2, 1940, as amended, is amended by striking out "June 30, 1947" and inserting in lieu thereof "July 15, 1947".

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this joint resolution.

Approved June 30, 1947.

## [CHAPTER 185]

## JOINT RESOLUTION

July 1, 1947  
[S. J. Res. 77]  
[Public Law 146]

Providing for membership and participation by the United States in the International Refugee Organization and authorizing an appropriation therefor.

International Refu-  
gee Organization.  
Acceptance of mem-  
bership for U. S.

Reservation.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President is hereby authorized to accept membership for the United States in the International Refugee Organization (hereinafter referred to as the "Organization"), the constitution of which was approved in New York on December 15, 1946, by the General Assembly of the United Nations, and deposited in the archives of the United Nations: *Provided, however*, That this authority is granted and the approval of the Congress of the acceptance of membership of the United States in the International Refugee Organization is given upon condition and with the reservation that no agreement shall be concluded on behalf of the United States and no action shall be taken by any officer, agency, or any other person and acceptance of the constitution of the Organization by or on behalf of the Government of the United States shall

not constitute or authorize action (1) whereby any person shall be admitted to or settled or resettled in the United States or any of its Territories or possessions without prior approval thereof by the Congress, and this joint resolution shall not be construed as such prior approval, or (2) which will have the effect of abrogating, suspending, modifying, adding to, or superseding any of the immigration laws or any other laws of the United States.

SEC. 2. The President shall designate from time to time a representative of the United States and not to exceed two alternates to attend a specified session or specified sessions of the general council of the Organization. Whenever the United States is elected to membership on the executive committee, the President shall designate from time to time, either from among the aforesaid representative and alternates or otherwise, a representative of the United States and not to exceed one alternate to attend sessions of the executive committee. Such representative or representatives shall each be entitled to receive compensation at a rate not to exceed \$12,000 per annum, and any such alternate shall be entitled to receive compensation at a rate not to exceed \$10,000 per annum, for such period or periods as the President may specify, except that no Member of the Senate or House of Representatives or officer of the United States who is designated as such a representative shall be entitled to receive such compensation.

SEC. 3. There is hereby authorized to be appropriated annually to the Department of State—

(a) such sums, not to exceed \$73,325,000 for the fiscal year beginning July 1, 1947, as may be necessary for the payment of United States contributions to the Organization (consisting of supplies, services, or funds and all necessary expenses related thereto) as determined in accordance with article 10 of the constitution of the Organization; and

(b) such sums, not to exceed \$175,000 for the fiscal year beginning July 1, 1947, as may be necessary for the payment of—

(1) salaries of the representative or representatives and alternates provided for in section 2 hereof, and appropriate staff, including personal services in the District of Columbia and elsewhere, without regard to the civil-service laws and the Classification Act of 1923, as amended; and

(2) such other expenses as the Secretary of State deems necessary to participation by the United States in the activities of the Organization: *Provided*, That the provisions of section 7 of the United Nations Participation Act of 1945, and regulations thereunder, applicable to expenses incurred pursuant to that Act shall be applicable to any expenses incurred pursuant to this paragraph (b) (2).

SEC. 4. (a) Sums from the appropriations made pursuant to paragraph (a) of section 3 may be transferred to any department, agency, or independent establishment of the Government to carry out the purposes of such paragraph, and such sums shall be available for obligation and expenditure in accordance with the laws governing obligations and expenditures of the department, agency, independent establishment, or organizational unit thereof concerned, and without regard to sections 3709 and 3648 of the Revised Statutes, as amended (U. S. C., 1940 edition, title 41, sec. 5, and title 31, sec. 529).

(b) Upon request of the Organization, any department, agency, or independent establishment of the Government (upon receipt of advancements or reimbursements for the cost and necessary expenses) may furnish supplies, or if advancements are made may procure and furnish supplies, and may furnish or procure and furnish services,

Designation of representatives, etc.

Compensation.

Appropriations authorized.  
*Post*, p. 623.  
Payment of U. S. contributions.

Payment of salaries.

42 Stat. 1488.  
5 U. S. C. §§ 661-674.  
Other expenses.

59 Stat. 621.  
22 U. S. C. § 287e.

Transfer of funds, etc.

Furnishing of supplies by Government agencies, etc.

Additional civilian employees.

59 Stat. 304; 60 Stat. 219.  
5 U. S. C. § 947.

Advance contributions to Preparatory Commission.

to the Organization: *Provided*, That such additional civilian employees in the United States as may be required by any such department, agency, or independent establishment for the procurement or furnishing of supplies or services under this subsection, and for the services of whom such department, agency, or independent establishment is compensated by advancements or reimbursements made by the Organization, shall not be counted as civilian employees within the meaning of section 607 of the Federal Employees Pay Act of 1945, as amended by section 14 of the Federal Employees Pay Act of 1946. When reimbursement is made it shall be credited, at the option of the department, agency, or independent establishment concerned, either to the appropriation, fund, or account utilized in incurring the obligation, or to an appropriate appropriation fund, or account which is current at the time of such reimbursement.

SEC. 5. During the interim period, if any, between July 1, 1947, and the coming into force of the constitution of the Organization, the Secretary of State is authorized from appropriations made pursuant to paragraph (a) of section 3, to make advance contributions to the Preparatory Commission for the International Refugee Organization, established pursuant to an agreement dated December 15, 1946, between the governments signatory to the constitution of the Organization, at a rate of not to exceed one-twelfth per month of the United States contribution to the Organization contemplated by paragraph (a) of section 3 hereof. Such advance contributions to the said Preparatory Commission shall be deducted from the said contribution to the Organization for the first fiscal year as provided in paragraph 6 of the said agreement. The provisions of paragraphs (a) and (b) of section 4 of this joint resolution shall be applicable, respectively, to such advance contributions and to the procurement and furnishing of supplies and services to the said Preparatory Commission.

Approved July 1, 1947.

#### [CHAPTER 186]

#### AN ACT

Making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1948, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### TITLE I—TREASURY DEPARTMENT

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Treasury Department for the fiscal year ending June 30, 1948, namely:

#### OFFICE OF THE SECRETARY

Salaries: For personal services in the District of Columbia, \$409,000: *Provided*, That no part of the money appropriated shall be used to pay the salaries of more than eighteen messengers assigned to duty in the Office of the Secretary.

Personal or property damage claims: For payment of claims pursuant to part 2 of the Federal Tort Claims Act of August 2, 1946 (Public Law 601), \$20,000.

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail of the Treasury Department as required by the Act of June 28, 1944, \$6,700,000.

July 1, 1947  
[H. R. 2436]  
[Public Law 147]

Treasury and Post Office Departments Appropriation Act, 1948.

Treasury Department Appropriation Act, 1948.  
*Ante*, pp. 118, 187; *post*, pp. 245, 361, 608, 609, 623, 624, 702.

*Post*, p. 623.

Messengers, limitation.

60 Stat. 843.  
28 U. S. C. §§ 921, 922.

58 Stat. 394.  
39 U. S. C. §§ 321c-321h.  
*Post*, p. 450.

## OFFICE OF GENERAL COUNSEL AND TAX LEGISLATIVE COUNSEL

Post, p. 624.

Salaries: For personal services in the District of Columbia, \$250,000.

## DIVISION OF TAX RESEARCH AND RESEARCH AND STATISTICS

Salaries: For personal services in the District of Columbia, \$200,000.

## DIVISION OF PERSONNEL

Salaries: For personal services in the District of Columbia, \$127,000.

Health service programs, Treasury Department: For expenses necessary in maintaining health service programs, pursuant to Public Law 658, Seventy-ninth Congress, for employees of the Department in the District of Columbia, \$75,000: *Provided*, That other appropriations in this Act shall be available for health service program in the field as authorized by said Public Law 658.

60 Stat. 903.  
5 U. S. C. § 150.

## OFFICE OF CHIEF CLERK

Salaries: For personal services in the District of Columbia, \$326,000.

## MISCELLANEOUS EXPENSES, TREASURY DEPARTMENT

Miscellaneous expenses: For necessary expenses of the Office of the Secretary and the bureaus and offices of the Treasury Department, not otherwise provided for; including operating expenses of the Treasury, Treasury Annex, Auditors', and Liberty Loan Buildings; \$225,000.

Operating expenses,  
buildings.

Printing and binding: For printing and binding for the Department except such bureaus and offices as may be otherwise provided for, including materials for the use of the bookbinder, located in the Department, but not including work done at the New York Customhouse bindery authorized by the Joint Committee on Printing in accordance with the Act of March 1, 1919 (44 U. S. C. 111), \$35,000.

40 Stat. 1270.

## CUSTODY OF TREASURY BUILDINGS

Salaries: For personal services in the District of Columbia, including the operating force of the Treasury Building, the Treasury Annex, the Liberty Loan Building, the Auditors' Building, and the west and south annexes thereof, \$650,000.

## FISCAL SERVICE

## BUREAU OF ACCOUNTS

Salaries and expenses: For necessary expenses in the District of Columbia, including contract stenographic reporting services, \$1,016,000.

Salaries and expenses, deposit of withheld taxes: For necessary expenses incident to the deposit of withheld taxes in Government depositories pursuant to the Current Tax Payment Act of 1943, including personal services in the District of Columbia and reimbursement to Federal Reserve banks for printing and other necessary expenses, \$460,000.

57 Stat. 138.  
26 U. S. C. § 1631.

Printing and binding: For printing and binding, Bureau of Accounts, \$60,000.

Salaries and expenses: For necessary expenses of the Division of Disbursement, including personal services in the District of Columbia, \$9,935,000: *Provided*, That with the approval of the Bureau of the Budget there may be transferred to this appropriation and to the appropriation "Printing and binding, Division of Disbursement"

Transfer of funds.

from Railroad Retirement Board, "Conservation and use of agricultural land resources, Department of Agriculture," and from available corporate funds of Government-owned or -controlled corporations, such sums as may be necessary to cover the expense incurred in performing the function of disbursement therefor.

**Printing and binding:** For printing and binding, Division of Disbursement, including the cost of transportation to field offices of printed and bound material and the cost of necessary packing boxes and packing materials, \$170,000.

**Contingent expenses, public moneys:** For contingent expenses under the requirements of section 3653 of the Revised Statutes (31 U. S. C. 545), for the collection, safekeeping, transfer, and disbursement of the public money, transportation of notes, bonds, and other securities of the United States, transportation of gold coin and gold certificates transferred to Federal Reserve banks and branches, United States mints and assay offices, and the Treasury, after March 9, 1933, actual expenses of examiners detailed to examine the books, accounts, and money on hand at the several depositories, including national banks acting as depositories under the requirements of section 3649, Revised Statutes (31 U. S. C. 548), also including examinations of cash accounts at mints, \$400,000.

**Recoinage of silver coins:** For expenses necessary to continue the recoinage of worn and uncurrent subsidiary silver coins of the United States now in the Treasury or hereafter received, and to reimburse the Treasurer of the United States for the difference between the nominal or face value of such coins and the amount the same will produce in new coins, \$200,000.

**Relief of the indigent, Alaska:** For the payment to the United States district judges in Alaska (not to exceed 10 per centum of the receipts from licenses collected outside of incorporated towns in Alaska), to be expended for the relief of persons in Alaska who are indigent and incapacitated through nonage, old age, sickness, or accident, \$14,000.

**Refund of moneys erroneously received and covered:** For meeting any expenditures of the character formerly chargeable to the appropriation accounts abolished under section 18 of the Permanent Appropriation Repeal Act of 1934, approved June 26, 1934, and any other collections erroneously received and covered which are not properly chargeable to any other appropriation, \$700,000.

**Payment of certified claims:** For the payment of claims (not to exceed \$500 in any case) which may be certified during the fiscal year 1948 by the Comptroller General of the United States to be lawfully due, within the limits of, and chargeable against the balances of the respective appropriations heretofore made which, after remaining unexpended, have been carried to the surplus fund pursuant to section 5 of the Act of June 20, 1874 (31 U. S. C. 713), \$700,000.

**Payment of unclaimed moneys:** For meeting any expenditures of the character formerly chargeable to the appropriation accounts abolished under section 17 of the Permanent Appropriation Repeal Act of 1934, approved June 26, 1934, payable from the funds held by the United States in the trust fund receipt account "Unclaimed moneys of individuals whose whereabouts are unknown", \$100,000.

#### BUREAU OF THE PUBLIC DEBT

**Administering the public debt:** For necessary expenses connected with any public-debt operations authorized by the Second Liberty Bond Act, as amended (31 U. S. C. 760-762), and with the administration of any public debt or currency issues of the United States with which the Secretary of the Treasury is charged, \$64,800,000, to be expended

48 Stat. 1231.  
31 U. S. C. § 725q.

18 Stat. 110.

48 Stat. 1230.  
31 U. S. C. § 725p.

40 Stat. 288.  
31 U. S. C. § 774 (2).

as the Secretary of the Treasury may direct: *Provided*, That from the amount appropriated herein, the Federal Reserve banks and their branches may be reimbursed for expenditures made by them as fiscal agents of the United States on account of public-debt transactions for the account of the Secretary of the Treasury, and advances to the Postmaster General may be made in accordance with the provisions of section 22 (e) of the Second Liberty Bond Act, as amended (31 U. S. C. 757c (e)), which section shall be construed as applying to this appropriation: *Provided further*, That the indefinite appropriation provided by section 10 of the Second Liberty Bond Act, as amended, shall not be available for obligation during the fiscal year 1948.

Reimbursement of  
Federal Reserve  
banks.

55 Stat. 8.

40 Stat. 292.  
31 U. S. C. § 760.

Distinctive paper for United States currency: For distinctive paper for United States currency, including transportation of paper, traveling, mill, and other necessary expenses, and salaries of employees and allowance, in lieu of expenses, of officer or officers detailed from the Treasury Department, not exceeding \$50 per month each when actually on duty, \$1,113,000: *Provided*, That in order to foster competition in the manufacture of distinctive paper for United States securities, the Secretary of the Treasury is authorized, in his discretion, to split the award for such paper for the fiscal year 1948 between the two bidders whose prices per pound are the lowest received after advertisement.

Division of award.

#### OFFICE OF THE TREASURER OF THE UNITED STATES

Salaries and expenses: For necessary expenses of the Office of the Treasurer, \$4,900,000: *Provided*, That with the approval of the Bureau of the Budget, there may be transferred to this appropriation and to the appropriation "Printing and binding, Office of the Treasurer", from Railroad Retirement Board, "Conservation and use of agricultural land resources, Department of Agriculture," and from available corporate funds of Government owned or controlled corporations, such sums as may be necessary to cover the expenses incurred in the clearing of checks, servicing of bonds, handling of collections, and rendering of accounts therefor.

Transfer of funds.

Printing and binding: For printing and binding for the Office of the Treasurer, \$140,000.

#### BUREAU OF CUSTOMS

Salaries and expenses: For collecting the revenue from customs, for enforcement, under section 102, Reorganization Plan No. III of 1946, of certain navigation laws, for the detection and prevention of frauds upon the customs revenue, and not to exceed \$100,000 for the securing of evidence of violations of the customs and navigation laws; for expenses of transportation and transfer of customs receipts from points where there are no Government depositories; not to exceed \$500 for subscriptions to newspapers; not to exceed \$85,000 for stationery; not to exceed \$12,000 for improving, repairing, maintaining, or preserving buildings, inspection stations, office quarters, including living quarters for officers, sheds, and sites along the Canadian and Mexican borders acquired under authority of the Act of June 26, 1930 (19 U. S. C. 68); and for the purchase of one hundred and fifty passenger motor vehicles; for the cost of seizure, storage, and disposition of any merchandise, vehicle and team, automobile, boat, air or water craft, or any other conveyance seized under the provisions of the customs laws; for the purchase of arms, ammunition, and accessories; not to exceed \$826,000 for personal services in the District of Columbia exclusive of ten persons from the field force authorized to be detailed under section 525 of the Tariff Act of 1930; \$32,925,000, of which \$300,000 shall constitute an advance fund to enable the Bureau of Customs to meet obligations incurred by it arising from services rendered to private

60 Stat. 1097.  
5 U. S. C. § 133y-16  
note.

46 Stat. 817.

46 Stat. 741.  
19 U. S. C. § 1525.



interests, pending receipt of reimbursements therefrom, which amount shall be returned to the Treasury not later than six months after the close of the fiscal year 1948, and of which not to exceed \$100,000 shall be available, for defraying, on a contract basis or otherwise, the expense of a management study of the Bureau of Customs.

Printing and binding: For printing and binding, Bureau of Customs, including the cost of transportation to field offices of printed and bound material and the cost of necessary packing boxes and packing materials, \$95,000.

Refunds and draw-backs: For the refund or payment of customs collections or receipts, and for the payment of debentures or draw-backs, bounties, and allowances, as authorized by law, \$15,000,000.

#### BUREAU OF INTERNAL REVENUE

Salaries and expenses: For necessary expenses in connection with the assessment and collection of internal-revenue taxes and the administration of the internal-revenue laws, including the administration of such provisions of other laws as are authorized by or pursuant to law to be administered by or under the direction of the Commissioner of Internal Revenue, including one stamp agent (to be reimbursed by the stamp manufacturers) and the employment of experts; the securing of evidence of violations of the Acts, the cost of chemical analyses made by others than employees of the United States and expenses incident to such chemists testifying when necessary; necessary expenses incurred in making investigations in connection with the enrollment or disbarment of practitioners before the Treasury Department in internal-revenue matters, expenses of seizure and sale, and contract stenographic reporting services; for the acquisition of property under the provisions of title III of the Liquor Law Repeal and Enforcement Act, approved August 27, 1935 (49 Stat. 872-881), and the operation, maintenance, and repair of property acquired under such title III; purchase (not to exceed thirty-four) and hire of passenger motor vehicles; printing and binding (not to exceed \$2,530,000); stationery (not to exceed \$1,500,000), and ammunition, \$188,000,000, of which amount not to exceed \$16,530,000 may be expended for personal services in the District of Columbia and not to exceed \$100,000 for detecting and bringing to trial persons guilty of violating the internal-revenue laws or conniving at the same, including payments for information and detection of such violation.

Additional income tax on railroads in Alaska: For the payment to the Treasurer of Alaska of an amount equal to the tax of 1 per centum collected on the gross annual income of all railroad corporations doing business in Alaska, on business done in Alaska, which tax is in addition to the normal income tax collected from such corporations on net income, the amount of such additional tax to be applicable to general Territorial purposes, \$3,500.

Refunding internal-revenue collections: For refunding internal-revenue collections, as provided by law, including the payment of claims for the prior fiscal years and payment of accounts arising under "Allowance or draw-back (Internal Revenue)", "Redemption of stamps (Internal Revenue)", "Refunding legacy taxes, Act of March 30, 1928", "Repayment of taxes on distilled spirits destroyed by casualty", and "Refunds and payments of processing and related taxes", \$1,231,000,000: *Provided*, That a report shall be made to Congress by internal-revenue districts and alphabetically arranged of all disbursements hereunder in excess of \$500 as required by section 3 of the Act of May 29, 1928 (sec. 3776, I. R. C.), including the names of all persons and corporations to whom such payments are made, together with the amount paid to each.

40 U. S. C. §§ 304f-304m.

Printing and binding.

Detection and prosecution of violators.

45 Stat. 398.

Report to Congress.

45 Stat. 996; 53 Stat. 466.  
26 U. S. C. § 3776.

## BUREAU OF NARCOTICS

Salaries and expenses: For expenses, including the securing of information and evidence, necessary to enforce sections 2550-2565; 2567-2571; 2590-2603; 3220-3228; 3230-3238 of the Internal Revenue Code; the Narcotic Drugs Import and Export Act, as amended (21 U. S. C. 171-184); the Act of June 14, 1930 (5 U. S. C. 282-282c and 21 U. S. C. 197-198) and the Opium Poppy Control Act of 1942 (21 U. S. C. Supp. V, 188-188n), including the employment of attorneys; services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); the costs of chemical analyses made by others than employees of the United States; cost incurred by officers and employees of the Bureau of Narcotics in the seizure, forfeiture, storage, and disposition of property under the Act of August 9, 1939 (49 U. S. C. 781-788), and the internal-revenue laws; hire of motor vehicles; purchase of arms and ammunition; in all, \$1,430,000, of which amount not to exceed \$224,000 may be expended for personal services in the District of Columbia; not exceeding \$10,000 for the collection and dissemination of information and appeal for law observance and law enforcement, including cost of printing, and not exceeding \$10,000 for services or information looking toward the apprehension of narcotic law violators who are fugitives from justice.

Printing and binding: For printing and binding for the Bureau, \$4,000.

53 Stat. 269-283,  
382-387.  
26 U. S. C. § 2550  
*et seq.*  
35 Stat. 614.  
46 Stat. 585.  
56 Stat. 1045.

60 Stat. 810.  
5 U. S. C. § 55a.

53 Stat. 1291.

Dissemination of  
information, etc.

Apprehension of  
narcotic law violators.

## BUREAU OF ENGRAVING AND PRINTING

For the work of engraving and printing, exclusive of repay work United States currency and internal-revenue stamps, including opium orders and special-tax stamps required under the Act of December 17, 1914 (26 U. S. C. 1040, 1383), checks, drafts, and miscellaneous work, as follows:

Salaries and expenses: For the Director, two Assistant Directors, and other personal services in the District of Columbia, including wages of rotary press plate printers at per diem rates and all other plate printers at piece rates to be fixed by the Secretary of the Treasury, not to exceed the rates usually paid for such work; and other necessary expenses, including engravers' and printers' materials and other materials, including distinctive and nondistinctive paper, except distinctive paper for United States currency and Federal Reserve bank currency; purchase of card and continuous form checks; equipment of, repairs to, and maintenance of buildings and grounds and minor alterations to buildings; periodicals, examples of engraving and printing, including foreign securities and stamps, and books of reference, not to exceed \$500; traveling expenses not to exceed \$15,000; transfer to the Bureau of Standards for scientific investigations in connection with the work of the Bureau of Engraving and Printing, not to exceed \$15,000; \$12,000,000, to be expended under the direction of the Secretary of the Treasury.

Printing and binding: For printing and binding for the Bureau of Engraving and Printing, \$5,000.

During the fiscal year 1948 all proceeds derived from work performed by the Bureau of Engraving and Printing, by direction of the Secretary of the Treasury, not covered and embraced in the appropriations for such Bureau for such fiscal year, instead of being covered into the Treasury as miscellaneous receipts, as provided by the Act of August 4, 1886 (31 U. S. C. 176), shall be credited when received to the appropriations for such Bureau for the fiscal year 1948.

38 Stat. 785.  
26 U. S. C. §§ 2550,  
3220.

Materials.

Scientific investiga-  
tions.

Crediting of pro-  
ceeds from work.

24 Stat. 227.

## SECRET SERVICE DIVISION

Salaries: For personal services in the District of Columbia, \$85,000.

Protection of the  
President, etc.

Information con-  
cerning law viola-  
tions.

Suppressing counterfeiting and other crimes: For necessary expenses in detecting, arresting, and delivering into the custody of the United States marshal or other officer having jurisdiction, dealers and pretended dealers in counterfeit money, persons engaged in counterfeiting, forging, and altering United States notes, bonds, national bank notes, Federal Reserve notes, Federal Reserve bank notes, and other obligations and securities of the United States and of foreign governments (including endorsements thereon and assignments thereof), as well as the coins of the United States and of foreign governments, and persons committing other crimes against the laws of the United States relating to the Treasury Department and the several branches of the public service under its control; purchase of seventy-five and hire of motor passenger vehicles; purchase of arms and ammunition; and for the protection of the person of the President and the members of his immediate family and of the person chosen to be President of the United States; \$1,550,000: *Provided*, That of the amount herein appropriated not to exceed \$15,000 may be expended for the purpose of securing information concerning violations of the laws relating to the Treasury Department, and for services or information looking toward the apprehension of criminals, and all vouchers claiming reimbursement from such amount of \$15,000 shall have the approval of the Chief of the Secret Service before payment.

42 Stat. 841,  
*Ante*, p. 132.

White House Police: For salaries of the White House Police as authorized by law (3 U. S. C. 62), \$372,900.

For uniforming and equipping the White House Police, including the purchase, issue, and repair of revolvers, and the purchase and issue of ammunition and miscellaneous supplies; to be procured in such manner as the President may determine, \$9,000.

Transfer of funds.

Salaries and expenses, guard force, Treasury buildings: For expenses of the guard force for Treasury Department buildings in the District of Columbia, including the Bureau of Engraving and Printing, and elsewhere, including purchase, repair, and cleaning of uniforms, purchase of two passenger motor vehicles, and the purchase of arms and ammunition and miscellaneous equipment, \$720,000: *Provided*, That not to exceed \$168,925 of the appropriation "Salaries and expenses, Bureau of Engraving and Printing", may be transferred to this appropriation to cover service rendered such Bureau in connection with the protection of currency, bonds, stamps, and other papers of value the cost of producing which is not covered and embraced in the direct appropriations for such Bureau: *Provided further*, That the Secretary of the Treasury may detail two agents of the Secret Service to supervise such force.

Supervisors.

Printing and binding: For printing and binding for the Secret Service Division, \$8,000.

Reimbursement to  
D. C. for certain bene-  
fit payments.

Reimbursement to District of Columbia, benefit payments to White House Police and Secret Service forces: For reimbursement to the District of Columbia on a monthly basis for benefit payments made from the revenues of the District of Columbia to members of the White House Police force and such members of the United States Secret Service Division as are entitled thereto under the Act of October 14, 1940 (54 Stat. 1118), to the extent that such benefit payments are in excess of the salary deductions of such members credited to said revenues of the District of Columbia during the fiscal year 1948, pursuant to section 12 of the Act of September 1, 1916 (39 Stat. 718), as amended, \$68,500.

D. C. Code § 4-508.

D. C. Code § 4-503.

## BUREAU OF THE MINT

Office of the Director: For personal services in the District of Columbia and for assay laboratory chemicals, fuel, materials, balances, weights, specimens of coins, ores, and travel and other expenses incident to the examination of mints, visiting mints for the purpose of superintending the annual settlement, and for the collection of statistics relative to the annual production and consumption of the precious metals in the United States, \$185,000.

Transportation of bullion and coin: For transportation of bullion and coin, between mints, assay offices, and bullion depositories, \$22,500, including compensation of temporary employees and other necessary expenses.

Mints and assay offices: For necessary expenses at the mints at Philadelphia, Pennsylvania; San Francisco, California; and Denver, Colorado; the assay offices at New York, New York; and Seattle, Washington, and the bullion depositories at Fort Knox, Kentucky; and West Point, New York, and for carrying out the provisions of the Gold Reserve Act of 1934 and the Silver Purchase Act of 1934, including new machinery and repairs, arms and ammunition, purchase and maintenance of uniforms and accessories for guards, protective devices, and their maintenance, training of employees in use of fire arms and protective devices, purchase of a station wagon, cases and enameling for medals manufactured, net wastage in melting and refining and in coining departments, loss on sale of sweeps arising from the treatment of bullion and the manufacture of coins, not to exceed \$1,000 for the expenses of the annual assay commission, and not exceeding \$1,000 for the acquisition, at the dollar face amount or otherwise, of specimen and rare coins, including United States and foreign gold coins and pieces of gold used as, or in lieu of, money, and ores, for addition to the Government's collection of such coins, pieces, and ores; \$6,250,000.

Printing and binding: For printing and binding for the Bureau of the Mint, \$10,000.

48 Stat. 337, 1175.  
31 U. S. C. §§ 440,  
448.

Annual assay commission.

## BUREAU OF FEDERAL SUPPLY

Post, p. 624.

Salaries and expenses: For necessary expenses, including personal services in the District of Columbia and in the field service, office supplies and materials, stationery, fuel, light, electric current, and other expenses for carrying into effect regulations governing the procurement, warehousing, and distribution by the Bureau of Federal Supply of the Treasury Department of property, equipment, stores, and supplies in the District of Columbia and in the field, \$1,310,000: *Provided*, That the Secretary of the Treasury is authorized and directed to transfer to this appropriation from any appropriations or funds available to the several departments and establishments of the Government such amounts as may be approved by the Bureau of the Budget, not to exceed the sum of (a) the amount of the annual compensation of employees who may be transferred or detailed to the Bureau of Federal Supply, respectively, from any such department or establishment, where the transfer or detail of such employee is incident to a transfer of a function or functions to that Bureau and (b) such amount as the Bureau of the Budget may determine to be necessary for expenses other than personal services incident to the proper carrying out of functions so transferred: *Provided further*, That when there has been or shall be transferred from any agency of the Government to the Bureau of Federal Supply any function of warehousing, and the agency from which such function is being transferred is authorized at the time of such transfer to perform functions of procurement, warehousing, or distribution of property, equipment, stores, or supplies for non-Federal agencies the Bureau of Federal Supply is authorized to

Transfer of funds.

Continuance of warehousing functions for non-Federal agencies.

Payment for supplies, services, etc.

Transactions with field offices of other Government agencies.

Standard forms and blank-book work for field warehouses.

Crediting of advances.  
47 Stat. 417.

Personal services.

Per diem employees at fuel yards.

"Fuel."  
Reconditioning of surplus property.

Typewriting machines, repairs.

Purchase prices.

continue the performance of such functions for such non-Federal agencies where such functions are to be discontinued by the agency from which the warehousing function has been transferred, and the receipts, including surcharge, for all issues to and all advances by all non-Federal agencies shall be credited to the general supply fund: *Provided further*, That payments to the general supply fund for materials, and supplies (including fuel), and services, and overhead expenses for all issues shall be made on the books of the Treasury Department by transfer and counterwarrants prepared by the Bureau of Federal Supply of the Treasury Department and countersigned by the Comptroller General, such warrants to be based solely on itemized invoices prepared by the Bureau of Federal Supply at issue prices to be fixed by the Director of Federal Supply: *Provided further*, That payments covering transactions between the Bureau of Federal Supply and field offices of other Government agencies whose detailed appropriation or fund accounts are maintained elsewhere than within the District of Columbia, may be made on the basis of itemized vouchers or invoices prepared by the Bureau of Federal Supply and sent through the appropriate field offices to the disbursing officers for the agencies involved, who are hereby authorized to make payment based (1) upon certification of the Bureau of Federal Supply, which shall include the specific statement that the vouchers are issued pursuant to and in conformity with purchase orders or requisitions duly executed by the agency billed, and (2) upon approval and certification of such vouchers by the agency billed, which action shall be based upon acceptance of the Bureau of Federal Supply certification as made, subject to later adjustment if necessary, the responsibility of the certifying officer to be limited to the availability of the funds to be charged: *Provided further*, That the general supply fund may be used to purchase from or through the Public Printer standard forms and blank-book work for field warehouse stocking and issue, but issues thereof shall be made only to Government agencies and shall be chargeable to applicable appropriation authorizations or limitations of such agencies for printing and binding, and reports of such issues shall be made as the Public Printer may require: *Provided further*, That advances received pursuant to law (31 U. S. C. 686) from departments and establishments of the United States Government and the government of the District of Columbia during the fiscal year 1948 shall be credited to the general supply fund: *Provided further*, That during the fiscal year 1948 there shall be available from the general supply fund for personal services in the District of Columbia not to exceed \$1,520,000: *Provided further*, That per diem employees engaged in work in connection with operations of the fuel yards may be paid rates of pay approved by the Secretary of the Treasury not exceeding current rates for similar services in the District of Columbia: *Provided further*, That the term "fuel" shall be held to include "fuel oil": *Provided further*, That the reconditioning and repair of surplus property and equipment for disposition or reissue to Government service, may be made at cost by the Bureau of Federal Supply, payment therefor to be effected by charging the proper appropriation and crediting the general supply fund.

Repairs to typewriting machines (except bookkeeping and billing machines) in the Government service in the District of Columbia and areas adjacent thereto may be made at cost by the Bureau of Federal Supply, payment therefor to be effected by charging the proper appropriation and crediting the general supply fund.

No part of any money appropriated by this or any other Act shall be used during the fiscal year 1948 for the purchase, within the continental limits of the United States, of any standard typewriting machines (except bookkeeping, billing, and electric machines) at a

price in excess of the following for models with carriages which will accommodate paper of the following widths, to wit: Ten inches (correspondence models), \$77; twelve inches, \$82.50; fourteen inches, \$85.25; sixteen inches, \$90.75; eighteen inches, \$96.25; twenty inches, \$103.40; twenty-two inches, \$104.50; twenty-four inches, \$107.25; twenty-six inches, \$113.85; twenty-eight inches, \$114.40; thirty inches, \$115.50; thirty-two inches, \$118.25; or, for standard typewriting machines distinctively quiet in operation, the maximum prices shall be as follows for models with carriages which will accommodate paper of the following widths, to wit: Ten inches, \$88; twelve inches, \$93.50; fourteen inches, \$99; eighteen inches, \$104.50: *Provided*, That there may be added to such prices the amount of Federal excise taxes paid or payable with respect to any such machines.

Printing and binding: For printing and binding for the Bureau of Federal Supply, including printed forms and miscellaneous items for general use of the Treasury Department, the cost of transportation to field offices of printed and bound material and the cost of necessary packing boxes and packing materials, \$170,000, together with not to exceed \$4,000 to be transferred from the general supply fund, Treasury Department.

### COAST GUARD

For all salaries and expenses of the Coast Guard, \$100,000,000: *Provided*, That no part of this appropriation shall be used to pay any enlisted man of the Coast Guard while detailed for duty at Coast Guard headquarters if such detail increases above thirty the total number of enlisted men detailed to such duty at any time: *Provided further*, That no part of this appropriation shall be used for increased pay for making aerial flights by nonflying officers or observers at rates in excess of those prescribed by law for the Army, which shall be the legal maximum rates as to such nonflying officers or observers: *Provided further*, That expenditures out of the foregoing appropriation shall not exceed the limitations set forth in the following categories, namely:

Office of Commandant: For personal services at the seat of government, not to exceed \$2,000,000;

Pay and allowances: For pay and allowances prescribed by law for commissioned officers, cadets, warrant officers, petty officers, and other enlisted personnel, active and retired, temporary cooks, surfmen, substitute surfmen, and six civilian instructors; retired pay for certain members of the former Life Saving Service authorized by the Act approved April 14, 1930 (14 U. S. C. 178a); not exceeding \$10,000 for cash prizes for men for excellence in boatmanship, gunnery, target practice, and engineering competitions; transportation of dependents of Coast Guard personnel on active duty and retired and Reserve officers and of retired and Reserve enlisted personnel, of grades entitled to transportation of dependents in the Regular Coast Guard, when ordered to active duty (other than training) and upon relief therefrom; carrying out the provisions of the Act of June 4, 1920 (34 U. S. C. 943); not to exceed \$20,000 for cost of special instruction, including books, laboratory equipment and fees, school supplies, and maintenance of students; motion-picture and other equipment for instructional purposes; rations or commutation thereof for cadets, petty officers, other enlisted personnel, and members of the Coast Guard Auxiliary when assigned specific duties under the provisions of section 8, Act of February 19, 1941, as amended (14 U. S. C. 267), mileage and expenses allowed by law for officers, including per diem rates of allowance, and the Secretary is hereby authorized to prescribe per diem rates of allowance for Public Health Service officers detailed to the Coast

*Post*, p. 702.

Details at headquarters, restriction.

Increased pay for aerial flights, restriction.

*Post*, p. 702.

46 Stat. 164.  
*Post*, p. 674.  
Cash prizes.  
Transportation of dependents.

41 Stat. 824.

55 Stat. 10.

Per diem rates for PHS officers.

Guard as authorized for Coast Guard officers; actual and necessary expenses or per diem in lieu thereof as the Secretary may determine and approve for Coast Guard personnel on special duty in foreign countries; traveling expenses of other persons traveling on duty under orders from the Treasury Department, including transportation of cadets, enlisted personnel, and applicants for enlistment, with subsistence and transfers en route, or cash in lieu thereof; transportation in kind and subsistence to discharged cadets; uniform clothing for enlisted men as provided by law (14 U. S. C. 13); clothing for enlisted personnel authorized by law; civilian clothing, including an overcoat when necessary, the cost of all not to exceed \$30 per person to enlisted personnel given discharges for bad conduct, undesirability, unsuitability, or inaptitude; reimbursement in kind or in cash as authorized by law to persons in the Coast Guard for personal property lost, destroyed, or damaged; actual expenses of officers and cadets and quarters and subsistence of enlisted personnel on shore patrol, emergency shore detail and other detached duty, or cash in lieu thereof; hire of quarters for officers serving with troops where sufficient quarters are not possessed by the United States to accommodate them; hire of quarters for Coast Guard personnel comparable to quarters assignable on a capital ship of the Navy, as authorized by the Secretary to meet emergency conditions, including officers and men on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable: *Provided*, That under this authorization no funds may be expended for the hire of quarters for occupancy by the dependents of officers or enlisted personnel; expenses of recruiting for the Coast Guard; advertising for and obtaining enlisted personnel and applicants for appointment as cadets; training of enlisted personnel, including textbooks, school supplies, and correspondence courses; transfer of household goods and effects of Coast Guard and Coast Guard Reserve personnel on active duty and when ordered to active duty and upon relief therefrom, and the transfer of household goods and effects of deceased Coast Guard and Coast Guard Reserve personnel who die while on active duty, as prescribed by law and regulations; transportation on Government-owned vessels of privately owned automobiles of Coast Guard personnel upon change of station; purchase of provisions for sale to Coast Guard personnel at isolated stations, and the appropriation reimbursed; and including not to exceed \$50,000 for recreation, amusement, comfort, contentment, and health of the enlisted personnel of the Coast Guard, to be expended pursuant to regulations prescribed by the Secretary; apprehension and delivery of deserters and stragglers; in all, not to exceed \$72,000,000: *Provided*, That money accruing from commutation of rations of enlisted personnel commuted for the benefit of any mess may be paid on proper voucher to the officer in charge of such mess: *Provided further*, That whenever commissioned officers of the Coast Guard, who were civilian employees of the former Bureau of Marine Inspection and Navigation, resume their status as civilian employees of the Coast Guard, or whenever civilian employees of the Coast Guard, who were employed in the former Bureau of Marine Inspection and Navigation, are commissioned as officers of the Coast Guard, the limitation provided for "Civilian Employees, Coast Guard" and "Office of the Commandant" may be exceeded, with the approval of the Bureau of the Budget, by the amount of their pay as civilian employees and the limitation provided for "Pay and allowances" reduced in a like amount or vice versa, as the case may be;

General expenses, Coast Guard: For expenses necessary for the operation and maintenance of the Coast Guard ashore and afloat, except as specifically provided for in other appropriations, including

Traveling expenses.

30 Stat. 604.

Hire of quarters.

Restriction.

Recruiting.

Transfer of household goods.

Provisions for sale at isolated stations.

Post, p. 702.

Apprehension of deserters, etc.  
Commutation of rations, payments.

Certain civilian employees.

Post, p. 702.

personal services at the seat of government and elsewhere; contract stenographic reporting services, pursuant to section 15 of the Act of August 2, 1946 (Public Law 600); printing and binding; purchase of fifty-eight passenger motor vehicles and maintenance, operation, and repair of aircraft; improvement of property for Coast Guard purposes, including rental, purchase, or use of additional land where necessary and the purchase of land for beacons, daymarks, and fog signals; rations and provisions, or commutation thereof, for working parties in the field, officers and crews of light vessels and tenders, and officials and other authorized persons of the Coast Guard on duty on board such tenders or vessels, but money accruing from commutation of rations and provisions for the above-named persons on board tenders and light vessels or in working parties in the field may be paid on proper voucher to the person having charge of the mess of such vessel or party; subsistence and clothing for shipwrecked and destitute persons, including reimbursement, under rules prescribed by the Secretary, of Coast Guard personnel who furnish from their personal stock subsistence and clothing to such persons; for payment of claims authorized under section 1 of Public Law 277, Seventy-ninth Congress, as amended by Public Law 327, Seventy-ninth Congress; not to exceed \$2,500 for contingencies for the Superintendent, United States Coast Guard Academy, to be expended in his discretion; payment of rewards for the apprehension and conviction, or for information helpful therein, of persons found interfering in violation of law with aids to navigation maintained by the Coast Guard; in all, not to exceed \$29,700,000: *Provided*, That the number of aircraft on hand at any one time shall not exceed one hundred and ten exclusive of planes and parts stored to meet future attrition;

Civilian employees, Coast Guard: For compensation of civilian employees in the field, including per diem labor, but excluding personnel provided for in the appropriation "General expenses, Coast Guard", not to exceed \$3,600,000;

Establishing and improving aids to navigation: For establishing and improving aids to navigation and other works, and for expenditures directly relating thereto, not to exceed \$2,300,000;

Acquisition of aircraft, vessels and shore facilities: For the purchase or construction of additional and replacement vessels and their equipment; the purchase of aircraft and their equipment; and the construction, rebuilding, or extension of shore facilities, including the acquisition of sites and improvements thereon when specifically approved by the Secretary, and rental of shore facilities for temporary use; in all, not to exceed \$2,300,000: *Provided*, That not to exceed 4 per centum of the amount of this limitation shall be available for administrative expenses in connection therewith, including personal services at the seat of government;

Retired pay, former Lighthouse Service, Coast Guard: For retired pay of certain officers and employees entitled thereto by virtue of former employment in the Lighthouse Service engaged in the field service or on vessels of the Coast Guard, except persons continuously employed in district offices and shops, not to exceed \$1,000,000.

No part of any appropriation or authorization in this Act shall be used to pay any part of the salary or expenses of any person whose salary or expenses are prohibited from being paid from any appropriation or authorization in any other Act.

The Joint Committee on Internal Revenue Taxation is authorized and directed to make a study of the enforcement of the internal-revenue laws with a view to ascertaining the numbers of deputy collectors, revenue agents, and other personnel, who should be employed by the Bureau of Internal Revenue in order to insure the maximum

60 Stat. 810.  
5 U. S. C. § 55a.

Rations and provisions.

59 Stat. 662; 60 Stat. 56.  
31 U. S. C. §§ 222g, 222h.  
Coast Guard Academy, contingencies.  
Payment of rewards.

Aircraft on hand, restriction.

Post, p. 702.

Administrative expenses.

Payment of salary, etc., restriction.

Study by Joint Committee on Internal Revenue Taxation.



net return to the United States from taxes imposed by such laws, and to report the results of such study to the Senate and the House of Representatives on or before January 3, 1948, such report to be filed with the Speaker of the House of Representatives and the President of the Senate if the Congress is not in session on the date of filing thereof.

Citation of title.

This title may be cited as the "Treasury Department Appropriation Act, 1948".

## TITLE II—POST OFFICE DEPARTMENT

Post Office Department Appropriation Act, 1948.  
*Ante*, pp. 118, 187, 188; *post*, pp. 245, 301, 608, 609, 701, 702.

The following sums are appropriated in conformity with 5 United States Code 361, 380; 39 United States Code 786, for the Post Office Department for the fiscal year ending June 30, 1948, namely:

### POST OFFICE DEPARTMENT, WASHINGTON, DISTRICT OF COLUMBIA

#### OFFICE OF THE POSTMASTER GENERAL

**Salaries:** For the Postmaster General and other personal services in the office of the Postmaster General in the District of Columbia, including a health program for the Department in Washington as authorized by the Act of August 8, 1946 (Public Law 658), \$375,000.

60 Stat. 903.  
5 U. S. C. § 150.

#### SALARIES IN BUREAUS AND OFFICES

For personal services in the District of Columbia in bureaus and offices of the Post Office Department in not to exceed the following amounts, respectively:

*Post*, p. 701.

Office of Budget and Administrative Planning, \$59,500.  
Office of the First Assistant Postmaster General, \$1,115,000.  
Office of the Second Assistant Postmaster General, \$910,000.  
Office of the Third Assistant Postmaster General, \$1,332,500.  
Office of the Fourth Assistant Postmaster General, \$712,500.  
Office of the Solicitor for the Post Office Department, \$250,000.  
Office of the chief inspector, \$400,000.  
Office of the purchasing agent, \$83,800.  
Bureau of Accounts, \$500,000.

#### CONTINGENT EXPENSES, POST OFFICE DEPARTMENT

For necessary, contingent and miscellaneous expenses not otherwise provided for; purchase of one passenger motor vehicle (not exceeding \$3,000); purchase and exchange of lawbooks and books of reference; newspapers; and travel expenses of the purchasing agent and of the Solicitor and attorneys connected with his office, not exceeding \$1,900; \$145,000.

*Post*, p. 701.

For printing and binding for the Post Office Department and Postal Service, \$1,600,000.

Field-service appropriations, restriction on use.

Travel expenses.

Examination of estimates.

Appropriations hereinafter made for the field service of the Post Office Department, except as otherwise provided, shall not be expended for any of the purposes hereinbefore provided for on account of the Post Office Department in the District of Columbia: *Provided*, That necessary expenses of officials and employees of the Post Office Department and Postal Service, when traveling on official business, may be paid from the appropriations for the service in connection with which the travel is performed: *Provided further*, That appropriations hereinafter made, except such as are exclusively for payment of compensation, shall be available for expenses in connection with the examination of estimates for appropriations in the field including per diem allowances in lieu of actual expenses of subsistence.

## FIELD SERVICE, POST OFFICE DEPARTMENT

## OFFICE OF THE POSTMASTER GENERAL

Travel expenses, Postmaster General and Assistant Postmasters General: For travel and miscellaneous expenses in the Postal Service, offices of the Postmaster General and Assistant Postmasters General, \$3,000.

Damage claims: For the payment of claims for damages to persons or property occurring in the fiscal year 1948, or in prior fiscal years, determined and settled pursuant to the Federal Tort Claims Act, approved August 2, 1946 (Public Law 601), and in accordance with the provisions of the Deficiency Appropriation Act, approved June 16, 1921 (5 U. S. C. 392), as amended by the Act approved June 22, 1934 (31 U. S. C. 224c), \$230,000.

Adjusted losses and contingencies: To pay to postmasters, Navy mail clerks, and assistant Navy mail clerks, Coast Guard mail clerks, assistant Coast Guard mail clerks, Army mail clerks, and assistant Army mail clerks, or credit them with the amount ascertained to have been lost or destroyed during the fiscal year 1948, or prior fiscal years, through unavoidable casualty resulting from no fault or negligence on their part, as authorized by the Act approved March 17, 1882, as amended by the Act approved December 7, 1945 (39 U. S. C. 49), \$75,000.

60 Stat. 842.  
28 U. S. C. §§ 921,  
922, 931-934, 941-946.  
Post, p. 722.

42 Stat. 63; 48 Stat.  
1207.

Post, p. 701.

22 Stat. 29; 59 Stat.  
603.  
Post, p. 453.

## OFFICE OF CHIEF INSPECTOR

Salaries of inspectors: For salaries of fifteen inspectors in charge of divisions and eight hundred inspectors, \$4,300,000.

Travel and miscellaneous expenses: For necessary travel and miscellaneous expenses incurred in the operation of the Post Office Inspection Service, not to exceed \$27,600 for chemical and other investigations, and not to exceed \$500 for books of reference, \$960,000.

Clerks: For compensation of not exceeding three hundred and eighty-nine clerks in the Post Office Inspection Service, \$1,178,000.

Payment of rewards: For payment of rewards for the detection, arrest, and conviction of post-office burglars, robbers, highway mail robbers, and persons mailing or causing to be mailed any bomb, infernal machine, or mechanical, chemical, or other device or composition which may ignite, or explode, fiscal year 1948 and prior years, \$55,000: *Provided*, That rewards may be paid in the discretion of the Postmaster General, when an offender of the classes mentioned was killed in the act of committing the crime or in resisting lawful arrest: *Provided further*, That no part of this sum shall be used to pay any rewards at rates in excess of those specified in Post Office Department Order 28673, dated July 28, 1945: *Provided further*, That of the amount herein appropriated not to exceed \$20,000 may be expended in the discretion of the Postmaster General, for the purpose of securing information concerning violations of the postal laws and for services and information looking toward the apprehension of criminals.

Chemical, etc., in-  
vestigations.

P. O. Inspection  
Service.

Death of offender.

Limitation.

Securing of informa-  
tion.

## OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL

Compensation to postmasters: For compensation to postmasters, including compensation as postmaster to persons who, pending the designation of an acting postmaster, assume and perform the duties of postmaster in the event of a vacancy in the office of postmaster of the third or fourth class, and for allowances for rent, light, fuel, and equipment to postmasters of the fourth class, \$87,470,000.

Compensation to assistant postmasters: For compensation to assistant postmasters at first- and second-class post offices, \$12,800,000.

*Post*, p. 701.

60 Stat. 903.  
5 U. S. C. § 150.

Clerks, first- and second-class post offices: For compensation to clerks and employees at first- and second-class post offices, including auxiliary clerk hire at summer and winter post offices, printers, mechanics, skilled laborers, watchmen, messengers, mail handlers, and substitutes, and the maintenance of health programs in the field as authorized by the Act of August 8, 1946 (Public Law 658), \$487,400,000.

Contract station service: For contract station service, \$3,500,000.

Separating mails: For separating mails at fourth-class post offices, \$180,000.

Unusual conditions: For unusual conditions at post offices, \$25,000.

Clerks, third-class post offices: For compensation to clerks at third-class post offices, \$24,000,000.

Miscellaneous items, first- and second-class post offices: For expenses necessary for the operation and protection of post offices of the first and second classes, and the business conducted in connection therewith, not provided for in other appropriations, \$3,600,000.

Village delivery service: For village delivery service in towns and villages having post offices of the second or third class, and in communities adjacent to cities having city delivery, \$300,000.

Detroit River service: For Detroit River postal service, \$12,750.

*Post*, p. 701.

Carfare and bicycle allowance: For carfare and bicycle allowance, including special-delivery carfare, cost of transporting carriers by privately owned automobiles to and from their routes, at rates not exceeding regular streetcar or bus fare, and purchase, maintenance, and exchange of bicycles, \$1,800,000.

*Post*, p. 701.

City delivery carriers: For pay of letter carriers, City Delivery Service, and United States Official Mail and Messenger Service, \$295,300,000.

*Post*, p. 701.

Special-delivery compensation and fees: For compensation and fees to special-delivery messengers, \$14,000,000.

*Post*, p. 701.

Rural Delivery Service: For pay for rural carriers, auxiliary carriers, substitutes for rural carriers on annual and sick leave, clerks in charge of rural stations, tolls and ferriage, and necessary expenses of the Rural Delivery Service, \$129,167,000, of which not less than \$200,000 shall be available for extensions and new service.

#### OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

*Post*, p. 701.

Star-route service: For inland transportation by star routes (excepting service in Alaska), including temporary service to newly established offices, \$22,500,000.

*Post*, p. 701.

Star Route and Air Mail Service, Alaska: For inland transportation by Star Route and Air Mail Service in Alaska, \$415,000.

*Post*, p. 701.

Powerboat service: For inland transportation by steamboat or other powerboat routes, including ship, steamboat, and way letters, \$1,700,000.

*Post*, p. 701.

Railroad transportation and mail messenger service: For inland transportation by railroad routes and for mail messenger service, \$145,000,000: *Provided*, That separate accounts be kept of the amount expended for mail messenger service.

*Post*, p. 701.

Railway Mail Service: For fifteen general superintendents, fifteen assistant general superintendents, two assistant general superintendents at large, one hundred and twenty district superintendents, one hundred and twenty assistant district superintendents, and other employees in the Railway Mail Service, \$104,000,000.

*Post*, p. 701.

Railway postal clerks, travel allowance: For travel allowance to railway postal clerks and substitute railway postal clerks, \$5,000,000.

Railway Mail Service, travel expenses: For travel expenses of departmental officials and supervisory employees of the Railway Mail Service, and railway postal clerks, \$55,000.

Railway Mail Service, miscellaneous expenses: For necessary expenses of the Railway Mail Service not provided for in other appropriations, \$450,000.

Electric-car service: For electric-car service, \$210,000.

Foreign mail transportation: For transportation of foreign mails, except by aircraft, \$9,500,000, including not to exceed \$79,200 to cover the cost to the United States for maintaining sea post service on ocean steamships conveying mails to and from the United States.

*Post*, p. 701.

Sea post service.

Balances due foreign countries: For balances due foreign countries, fiscal year 1948 and prior years, \$3,250,000.

*Post*, p. 701.

Indemnities, international mail: For payment of limited indemnity for the injury or loss of international mail in accordance with convention, treaty, or agreement stipulations, fiscal year 1948 and prior years, \$15,000.

Foreign air-mail transportation: For transportation of foreign mails by aircraft, as authorized by law, including the transportation of mail by aircraft between Seattle, Washington, and Fairbanks, Alaska, via intermediate points, \$5,500,000.

*Post*, p. 701.

Domestic Air Mail Service: For expenses necessary for the inland transportation of mail by aircraft, as authorized by law, including not to exceed \$173,000 for supervisory officials and clerks at field headquarters, \$37,000,000.

*Post*, p. 701.

#### OFFICE OF THE THIRD ASSISTANT POSTMASTER GENERAL

Manufacture and distribution of stamps and stamped paper: For manufacture and distribution of stamps and stamped paper, and not to exceed \$30,000 for compensation to employees and other necessary expenses of the United States Stamped Envelope Agency, \$7,400,000.

*Post*, p. 702.

U. S. Stamped Envelope Agency.

Indemnities, domestic mail: For payment of indemnity for the injury or loss of domestic registered, insured, and collect-on-delivery mail, and for failure to remit collect-on-delivery charges, fiscal year 1948 and prior years, \$2,300,000.

*Post*, p. 702.

Unpaid money orders more than one year old: For payment of domestic money orders after one year from the last day of the month of issue of such orders, \$600,000.

*Post*, p. 702.

#### OFFICE OF THE FOURTH ASSISTANT POSTMASTER GENERAL

Post Office stationery, equipment, and supplies: For the purchase, manufacture, repair, and installation of necessary miscellaneous equipment and supplies for the Postal Service not provided for in other appropriations; accident prevention; for the purchase of atlases and geographical and technical works not to exceed \$1,500; and not exceeding \$136,000 for personal services, and not to exceed \$51,400 for salaries of fourteen traveling mechanics; for rental of canceling machines and motors, mechanical mail-handling apparatus, and other labor-saving devices; and for travel expenses; \$6,500,000, of which \$250,000 shall be available exclusively for the purchase of modern mechanical postal devices: *Provided*, That the Postmaster General may authorize the sale to the public of post-route maps and rural-delivery maps or blueprints at the cost of printing and 10 per centum thereof added.

Labor-saving devices.

Sale of maps or blueprints.

Equipment shops, Washington, District of Columbia: For the purchase, manufacture, and repair of mail bags and other equipment for the postal service not provided for in other appropriations; accident prevention; necessary expenses for the operation, maintenance, and

*Post*, p. 702.

60 Stat. 903.  
5 U. S. C. § 150.

Distinctive equip-  
ments.

Post, p. 702.

32 Stat. 114; 35 Stat.  
412; 42 Stat. 661.

Post, p. 702.

Housing of vehicles.

Motor Vehicle  
Service.

Tractors and trailer  
trucks.

Maintenance, re-  
striction.

Post, p. 702.

protection of the mail equipment shops building, grounds, and equipment, and a health program for the shops, as authorized by the Act of August 8, 1946 (Public Law 658); \$3,200,000, of which not to exceed \$1,223,000 may be expended for personal services in the District of Columbia and not exceeding \$15,000 for the purchase of material and the manufacture in the equipment shops of such small quantities of distinctive equipments as may be required by other executive departments; and for services in Alaska, Puerto Rico, Philippine Islands, Hawaii, or other island possessions.

Rent, light, power, fuel, and water: For rent, light, power, fuel, and water, for first-, second-, and third-class post offices, and the cost of advertising for lease proposals for such offices, \$13,257,000.

Pneumatic-tube service, New York City and Boston: For rental of not exceeding twenty-eight miles of pneumatic tubes, hire of labor, communication service, electric power, and other expenses for transmission of mail in the city of New York including the Borough of Brooklyn; and for rental of not exceeding two miles of pneumatic tubes, not including labor and power in operating the same, for the transmission of mail in the city of Boston, Massachusetts; \$700,000: *Provided*, That the Acts of April 21, 1902, May 27, 1908, and June 19, 1922 (39 U. S. C. 423), relating to contracts for the transmission of mail by pneumatic tubes or other similar devices shall not be applicable to the city of New York, and the provisions not inconsistent herewith of the Acts of April 21, 1902, and May 27, 1908 (39 U. S. C. 423), shall be applicable to the city of Boston.

Vehicle service: For the hire, purchase, maintenance, repair, and operation of vehicles for use in the collection, transportation, delivery, and supervision of the mail, including the repair of vehicles owned by, or under the control of, units of the National Guard and departments and agencies of the Federal Government where repairs are made necessary because of utilization of such vehicles in the Postal Service; the rental of garage facilities; accident prevention; lease of quarters not exceeding a term of ten years for the housing of Government-owned motor vehicles, and including compensation to necessary employees in the Motor Vehicle Service, \$36,500,000, of which \$4,514,000 shall be available exclusively for the purchase of trucks: *Provided*, That the Postmaster General may purchase and maintain from this appropriation such tractors and trailer trucks as may be required in the operation of the vehicle service: *Provided further*, That no part of this appropriation shall be expended for maintenance or repair of motor-propelled passenger-carrying vehicles for use in connection with the administrative work of the Post Office Department in the District of Columbia.

Transportation of equipment and supplies: For the transportation and delivery of equipment, materials, and supplies for the Post Office Department and Postal Service by freight, express, or motor transportation, and other incidental expenses, \$520,000.

#### PUBLIC BUILDINGS, MAINTENANCE AND OPERATION

Operating force: For compensation to employees in the custodial service, \$44,750,000.

Post, p. 702.

Personal services,  
limitation.

Telephone service.

Operating supplies, public buildings: For necessary miscellaneous articles, services and supplies, including transportation thereof, required for the operation of completed and occupied public buildings and grounds operated by the Post Office Department, accident prevention, \$6,750,000, which shall not be available for personal services except for, work done by contract, or for temporary job labor under exigency not exceeding at one time the sum of \$250 at any one building: *Provided*, That the Postmaster General is authorized to contract

for telephone service in public buildings under his administration by means of telephone switchboards or equivalent telephone switching equipment jointly serving in each case two or more governmental activities, where he determines that joint service is economical and in the interest of the Government, and to secure reimbursement for the cost of such joint service from available appropriations for telephone expenses of the bureaus and offices receiving the same.

Furniture, carpets, and safes, public buildings: For the procurement, including transportation, of furniture, carpets, safes, safe and vault protective devices, and repairs of same, for use in public buildings which are now, or may hereafter be, operated by the Post Office Department, \$750,000: *Provided*, That excepting expenditures for labor for or incidental to the moving of equipment from or into public buildings, the foregoing appropriation shall not be used for personal services except for work done under contract or for temporary job labor under exigency and not exceeding at one time the sum of \$100 at any one building: *Provided further*, That all furniture now owned by the United States in other public buildings or in buildings rented by the United States shall be used, so far as practicable, whether or not it corresponds with the present regulation plan of furniture.

Deficiency in postal revenues: If the revenues of the Post Office Department shall be insufficient to meet the appropriations made under title II of this Act, a sum equal to such deficiency in the revenues of such Department is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to supply such deficiency in the revenues of the Post Office Department for the fiscal year ending June 30, 1948, and the sum needed may be advanced to the Post Office Department upon requisition of the Postmaster General.

During the fiscal year 1948, the Postmaster General shall make quarterly reports to the Senate and House Committees on Appropriations, showing for each quarter the amount paid from each appropriation for overtime, the number of employees receiving such overtime, and the number of hours of overtime worked by such employees, together with a statement as to the necessity for such overtime work.

This title may be cited as the "Post Office Department Appropriation Act, 1948".

Personal services,  
limitation.

Use of present furni-  
ture.

Deficiency appro-  
priation.

Reports to Con-  
gress.

Citation of title.

### TITLE III—GENERAL PROVISIONS

SEC. 301. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the

Persons engaging,  
etc., in strikes against  
or advocating over-  
throw of U. S. Govern-  
ment.

Affidavit.

Penalty.

United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Short title.

SEC. 302. This Act may be cited as the "Treasury and Post Office Departments Appropriation Act, 1948".

Approved July 1, 1947.

#### [CHAPTER 187]

#### AN ACT

To preserve historic graveyards in abandoned military posts.

July 1, 1947  
[H. R. 577]  
[Public Law 148]

Historic cemeteries  
on military posts.  
Conveyance to  
States, etc.

Reversion to U. S.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War is hereby authorized in his discretion, and upon such terms and conditions as he may determine with or without monetary consideration, to transfer and convey all right, title, and interest of the United States in or to any historic military cemetery or burial plot located on military posts or reservations which have heretofore, or may hereafter, become abandoned or useless for military purposes, including the graves and monuments contained in such cemeteries or burial plots and approach roads and appurtenances thereto, together with the responsibility for the perpetual care and maintenance thereof, to any State, county, municipality, or proper agency thereof, in which or in the vicinity of which such cemetery or burial plot is located: *Provided*, That in the event the grantee shall cease or fail to care for and maintain the historic military cemetery or burial plot or the graves and monuments contained therein in a manner satisfactory to the Secretary of War, all such right, title, and interest transferred or conveyed by the United States, shall revert to the United States.

Approved July 1, 1947.

#### [CHAPTER 188]

#### AN ACT

To amend the Act entitled "An Act to provide for the management and operation of naval plantations, outside the continental United States", approved June 28, 1944.

July 1, 1947  
[H. R. 1358]  
[Public Law 149]

Naval plantations  
outside U. S.

50 U. S. C. app.  
§ 777.

Management and  
operation.

Purchases.

41 U. S. C. § 5.  
Limitation of em-  
ployee benefits.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act entitled "An Act to provide for the management and operation of naval plantations outside the continental United States", approved June 28, 1944 (58 Stat. 624), is hereby amended to read as follows:

"SEC. 1. Hereafter the appropriations for the subsistence of Army and Navy personnel, respectively, shall be available for any and all expenditures necessary in the management, operation, maintenance, and improvement of any plantation or farm, on land subject to Army or Navy jurisdiction outside of the continental United States, for the purpose of furnishing fresh fruits and vegetables to the armed forces of the United States: *Provided*, That equipment, material, and supplies required therein may be purchased without regard to section 3709 of the Revised Statutes, and other laws applicable to purchases by governmental agencies: *Provided further*, That only American nationals, employees of the United States, shall be entitled to benefits under the civil-service laws and other laws of the United States relating to the employment, work, compensation, rights, benefits, or obligations of civilian employees of the United States: *Provided further*,

That surplus production over the amount furnished, or sold to the armed forces of the United States and to civilians serving with the armed forces may only be sold outside the continental limits of the United States: *And provided further*, That no land shall be acquired under this authorization.

Sale of surplus production.

No land acquisitions.

Management by private contractors, etc.

"SEC. 2. After the termination of the present war the management, operation, maintenance, and improvement of any plantation or farm for which appropriations made available by this Act are used shall be accomplished, insofar as practicable, through the instrumentality of a private contractor, lessee, or operator with or for the Government, and, to this end the Secretary of War, with respect to Army affairs, and the Secretary of the Navy, with respect to Navy affairs, shall make reasonable effort to enter into said contract, lease, or agreement with a person, partnership, or association, in civil life for his or its services upon terms advantageous to the Government, for such management, operation, maintenance, and improvement before employing Army, Navy, or Marine Corps personnel for that purpose: *Provided*, That the determination of the Secretary of War, in regard to Army matters, and the Secretary of the Navy, in regard to Navy matters, as to reasonableness of effort to enter into such contract, lease, or agreement, and as to the advantageous nature of the terms thereof shall be final."

Finality of determinations by Secretaries of War and Navy.

Approved July 1, 1947.

[CHAPTER 189]

AN ACT

To authorize the Secretary of the Navy to appoint, for supply duty only, officers of the line of the Marine Corps, and for other purposes.

July 1, 1947  
[H. R. 1371]  
[Public Law 160]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That officers of the line of the Marine Corps of the permanent or temporary grades of captain, major, lieutenant colonel, and colonel may, upon application, and with the approval of the Secretary of the Navy, be assigned to supply duty only: *Provided*, That when so assigned they shall retain the lineal position and precedence which they hold at the time of assignment or may later attain and shall be promoted, retired, and discharged in like manner and with the same relative conditions in all respects as on the date of passage of this Act, or as thereafter may be provided for other officers of the line of the Marine Corps, except as otherwise provided by law: *Provided further*, That the recommendation of selection boards in the cases of officers assigned to such duty shall be based upon their comparative fitness to perform the duties prescribed for them: *And provided further*, That officers of the permanent or temporary grades of captain, major, lieutenant colonel, and colonel assigned to supply duty only in accordance with this Act shall, on assignment and on promotion up to and including the grade of brigadier general, be carried as additional numbers in grade.

Marine Corps.  
Assignment of officers of the line to supply duty.

Retention of lineal position, etc.

Basis of recommendation by selection boards.

Additional numbers in grade.

SEC. 2. The number of officers so assigned in accordance with this Act shall be in accordance with the requirements of the service as determined by the Secretary of the Navy: *Provided*, That all officers of the Marine Corps now assigned to assistant quartermaster duty only and assistant paymaster duty only are hereby assigned to supply duty only, without change in their lineal positions and precedence solely as a result of such change of assignment.

Number of officers assigned.

Officers assigned to assistant quartermaster duty, etc.

SEC. 3. The head of the Supply Department shall have the title of "Quartermaster General of the Marine Corps" and shall, while so serving have the rank, pay, and allowances of a major general, and shall be in addition to the number of general officers otherwise provided by

Title of head of Supply Department, etc.



Appointment of  
Quartermaster Gen-  
eral.

Detail of officers to  
Supply Department.

Repeals.

48 Stat. 812, 813.

law. He shall be carried in the grade or rank from which appointed.

SEC. 4. When a vacancy shall exist in the office of Quartermaster General of the Marine Corps, the President may appoint to such office, by and with the advice and consent of the Senate, an officer of the Marine Corps on the active list assigned to supply duty only of the rank of brigadier general, who shall hold office as such quartermaster general for a period of four years, unless sooner relieved.

SEC. 5. In such numbers as may be required to meet the needs of the service officers of the line may be detailed for duty in the Supply Department for a period of four years unless sooner relieved.

SEC. 6. The following laws and parts of laws are hereby repealed:  
(a) Act of August 29, 1916 (39 Stat. 609; 34 U. S. C. 625). Act of August 29, 1916 (39 Stat. 610; 34 U. S. C. 633).

(b) Sections 3, 11, and 14 of the Act of May 29, 1934 (48 Stat. 811; 34 U. S. C. 625a, 667c, 667f).

(c) Act of July 28, 1937 (50 Stat. 537; 34 U. S. C. 632a).

(d) Act of March 24, 1944 (58 Stat. 121; 34 U. S. C. 625b).

SEC. 7. All other laws or parts of laws inconsistent with the provisions of this Act are hereby amended accordingly.

Approved July 1, 1947.

#### [CHAPTER 190]

#### AN ACT

July 1, 1947

[H. R. 1376]

[Public Law 151]

To amend the Acts of October 14, 1942 (56 Stat. 786), as amended, and November 28, 1943 (57 Stat. 593), as amended, so as to authorize transportation of dependents and household effects of personnel of the Navy, Marine Corps, and Coast Guard to overseas bases.

Navy, Marine  
Corps, and Coast  
Guard.  
Travel under secret  
or confidential orders.

50 U. S. C. app.  
§§ 831-833.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That Section 1 of the Act entitled "An Act to authorize the transportation of dependents and household effects of personnel of the Navy, Marine Corps, Coast Guard, and Coast and Geodetic Survey, incident to secret or confidential orders, and for other purposes", approved October 14, 1942 (56 Stat. 786), as amended, is hereby further amended as follows:

(a) Strike out the words "points to new stations in the United States to which such personnel may be subsequently ordered for duty, under such regulations as the Secretary of the Navy may prescribe: *Provided*, That the wives of" as they appear in lines 13, 14, and 15 thereof, on page 786, volume 56, Statutes at Large, and insert in lieu thereof the words "points to current or new stations to which such personnel may be subsequently ordered for duty, at which restrictive conditions no longer prevail, under such regulations as the Secretary of the Navy may prescribe, and without regard to cost of transportation previously provided for dependents and household effects to such points: *Provided*, That the wives of".

(b) Strike out the words "personnel concerned have been so ordered shall constitute authority" as they appear in line 26 thereof, on page 786, volume 56, Statutes at Large, and insert in lieu thereof the words "personnel concerned have been so ordered, or that they have been ordered to new duty stations or continued on current duty stations where their dependents are not restricted from joining them, shall constitute authority".

Transportation of  
dependents and house-  
hold effects.

50 U. S. C. app.  
§§ 833a-833e.

SEC. 2. The Act entitled "An Act to authorize the transportation of dependents and household effects of personnel of the Navy, Marine Corps, and Coast Guard under certain conditions, and for other purposes", approved November 28, 1943 (57 Stat. 593), as amended, is hereby further amended as follows:

(a) Strike out the words "United States, and from such points to new stations in the United States to which such personnel may be

subsequently ordered for duty” as they appear in lines 21 and 22 of section 1 thereof, on page 593, volume 57, Statutes at Large, and insert in lieu thereof the words “United States, and from such points to current or new stations to which such personnel may be subsequently ordered for duty”.

(b) Strike out the words “or Government quarters for their dependents are available” as they appear in line 24 of section 1 thereof, on page 593, volume 57, Statutes at Large, and insert in lieu thereof the words “without regard to cost of transportation previously provided for dependents and household effects to such points”.

(c) Strike out the words “them, the wives of such personnel, or such other responsible persons” as they appear in line 7, section 2 thereof, on page 594, volume 57, Statutes at Large, and insert in lieu thereof the words “them, or have been ordered to new duty stations at which their dependents are not restricted from joining them, or have continued on current duty stations where restrictive conditions no longer prevail, the wives of such personnel, or such other responsible persons”.

SEC. 3. Section 1 of this Act shall be effective in all respects as provided in section 2 of the Act of October 14, 1942 (56 Stat. 786), and section 2 of this Act shall be effective in all respects as provided in section 6 of the Act of November 28, 1943 (57 Stat. 593), as amended.

Approved July 1, 1947.

50 U. S. C. app.  
§ 833.

60 Stat. 5.  
50 U. S. C. app.  
§ 833f.

# [CHAPTER 191]

## AN ACT

Relinquishing to the State of Illinois certain right, title, or interest of the United States of America, and for other purposes.

July 1, 1947  
[H. R. 1628]  
[Public Law 152]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, for the purpose of enabling the State of Illinois to use the lands now occupied by the Illinois and Michigan Canal for highway, park, recreational, or any other public purposes, there is hereby relinquished to the State of Illinois all such right, title, and interest, if any, as the United States of America may have in and to any part of the land comprising the right-of-way of the Illinois and Michigan Canal, as the same was routed and constructed through the public lands of the United States of America in the counties of Cook, Will, Grundy, Du Page, and La Salle, in the State of Illinois, pursuant to the provisions, insofar as applicable, of the Acts of March 30, 1822 (3 Stat. 659), March 2, 1827 (4 Stat. 234), and March 2, 1833 (4 Stat. 662), and in and to any part of the ninety feet of land on each side of the canal for the entire length thereof referred to in the Act of March 30, 1822 (3 Stat. 659); on condition, however, that if any of the lands with respect to which any right, title, or interest is hereby relinquished by the United States of America to the State of Illinois shall ever cease to be occupied and used for highway, park, recreational, or any other public purposes then, and in that event, all such right, title, and interest, if any, in or to the lands which have ceased to be so occupied and used shall thereupon revert in the United States of America.

Illinois and Michi-  
gan Canal lands.  
Relinquishment to  
State of Illinois.

Reversion to U. S.

SEC. 2. This Act shall affect only such right, title, and interest of the United States of America in and to the lands described in section 1 hereof as may have been retained by the United States of America, in fee simple, as a reversionary interest, or otherwise, under the Acts of March 30, 1822 (3 Stat. 659), March 2, 1827 (4 Stat. 234), and March 2, 1833 (4 Stat. 662), and as has not been disposed of, prior to the approval of this Act, by the United States of America.

Rights, etc., affect-  
ed.

SEC. 3. Provided that, to protect the rights of navigation in or over the lands comprising the right-of-way of the Illinois and Michigan

Protection of rights  
of navigation, etc.

Sections.

Canal and the ninety feet of land on each side of the canal in the sections or parts of sections hereinafter enumerated, the State of Illinois or any authorized agent thereof shall not change in any manner the physical conditions which exist at the time of the passage of this Act, unless such changes have been recommended by the Chief of Engineers and authorized by the Secretary of War; this to include construction, erection, or removal of any structure, excavation, or deposition of materials from or on such lands, and so forth. The sections in which such reservations are made are as follows:

Sections 16, 21, 22, and the west half of section 15, township 33 north, range 1 east, of the third principal meridian, La Salle County, Illinois.

The east half of section 13, township 33 north, range 2 east, of the third principal meridian, La Salle County, Illinois; and section 18, township 33 north, range 3 east, of the third principal meridian, La Salle County, Illinois.

The east half of the east half of section 22, sections 23, 26, 25, and 36, township 34 north, range 8 east, of the third principal meridian, Grundy County, Illinois; and sections 30, 31, 29, and 20, township 34 north, range 9 east, of the third principal meridian, Will County, Illinois.

The east half of section 20, sections 21, 16, 10, 9, and 4, and the south half of section 3, township 35 north, range 10 east, of the third principal meridian, Will County, Illinois.

Section 14 and the east half of the east half of section 15, township 37 north, range 11 east, of the third principal meridian, Cook and Du Page Counties, Illinois.

Removal of structures, etc.

Sections 29, 28, 21, 16, 10, and 9, township 39 north, range 14 east, of the third principal meridian, Cook County, Illinois. Authorizations issued under the provisions of this Act shall contain the following clause:

"If future operations by the United States require removal or alteration in the structure or the work herein authorized, the State of Illinois will be required, upon due notice from the Secretary of War, to remove or alter the work without expense to the United States so as to render navigation reasonably free, easy, and unobstructed. No claim shall be made against the United States on account of any such removal or alteration."

Approved July 1, 1947.

## [CHAPTER 192]

## AN ACT

July 1, 1947  
[H. R. 1845]  
[Public Law 153]

To amend existing laws relating to military leave of certain employees of the United States or of the District of Columbia so as to equalize rights to leave of absence and reemployment for such employees who are members of the Enlisted or Officers' Reserve Corps, the National Guard or the Naval Reserve, and for other purposes.

Military leave for certain Federal and D. C. employees. Enlisted Reserve Corps.  
*Post*, p. 239.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That (a) the third and fourth paragraphs under the subheading "Ordnance Stores and Equipment for Reserve Officers' Training Corps" in the Act entitled "An Act making appropriations for the support of the Army for the fiscal year ending June thirtieth, nineteen hundred and eighteen, and for other purposes", approved May 12, 1917 (40 Stat. 72; 10 U. S. C. A. 371), are hereby amended by inserting in each such paragraph after the words "the Officers' Reserve Corps" the words "or the Enlisted Reserve Corps".

(b) The fourth paragraph under the subheading "Ordnance Stores and Equipment for Reserve Officers' Training Corps" of the Act of May 12, 1917, as amended, as it appears on page 72, volume 40, Statutes at Large, is hereby amended by striking out the period at the end of the said paragraph, substituting a colon therefor, and adding the following proviso: "*Provided further*, That no existing law shall be construed to prevent any member of the Officers' Reserve Corps or the Enlisted Reserve Corps from accepting employment in any civil branch of the public service nor from receiving the pay incident to such employment in addition to any pay and allowances to which he may be entitled under the laws relating to the Officers' Reserve Corps and Enlisted Reserve Corps, nor as prohibiting him from practicing his civilian profession or occupation before or in connection with any department of the Federal Government."

10 U. S. C. § 371.  
*Ante*, p. 238.

Officers' Reserve  
Corps or Enlisted  
Reserve Corps.  
Acceptance of em-  
ployment, etc.

SEC. 2. Section 80 of the Act of June 3, 1916 (39 Stat. 203; 32 U. S. C. 75), is hereby amended by striking out the period as it appears at the end of the said section, substituting a comma therefor, and adding the following: "for periods not to exceed fifteen days in any one calendar year: *Provided*, That all members of the National Guard who are in the employ of the United States Government or of the District of Columbia and who are ordered to duty by proper authority shall, when relieved from duty, be restored to the positions held by them when ordered to duty: *And provided further*, That no existing law shall be construed to prevent any member of the National Guard from accepting employment in any civil branch of the public service nor from receiving the pay incident to such employment in addition to any pay and allowances to which he may be entitled under the provisions of law relating to the National Guard, nor as prohibiting him from practicing his civilian profession or occupation before or in connection with any department of the Federal Government."

National Guard.

Restoration to posi-  
tions.

Acceptance of em-  
ployment, etc.

SEC. 3. Section 9 of the Naval Reserve Act of 1938 (52 Stat. 1177; 34 U. S. C. Annotated 853g), as amended, is hereby further amended by striking out the period as it appears at the end of the said section, substituting a colon therefor, and adding the following proviso: "*And provided further*, That all members of the Naval Reserve who are in the employ of the United States Government or of the District of Columbia and who are ordered to duty by proper authority shall, when relieved from duty, be restored to the positions held by them when ordered to duty."

Naval Reserve.

Restoration to posi-  
tions.

SEC. 4. The words "officers and employees of the United States or of the District of Columbia" as used in the third paragraph, subheading "Ordnance Stores and Equipment for Reserve Officers' Training Corps", of the Act of May 12, 1917 (40 Stat. 72; 10 U. S. C. Annotated 371), as now or hereafter amended, as used in that part of section 80 of the Act of June 3, 1916 (39 Stat. 203; 32 U. S. C. 75), as now or hereafter amended, which precedes the proviso, and as used in the first proviso of section 9 of the Naval Reserve Act of 1938 (52 Stat. 1177; 34 U. S. C. Annotated 853g), as now or hereafter amended, shall be construed to mean all officers and employees of the United States or of the District of Columbia, permanent or temporary indefinite, without regard to classifications or terminology peculiar to the Federal Civil Service System.

"Officers and em-  
ployees of the United  
States or of the Dis-  
trict of Columbia."

*Ante*, p. 238; *supra*.

Approved July 1, 1947.

## [CHAPTER 193]

## AN ACT

July 1, 1947  
[H. R. 1997]  
[Public Law 154]

To provide seniority benefits for certain officers and members of the Metropolitan Police force and of the Fire Department of the District of Columbia who are veterans of World War II and lost opportunity for promotion by reason of their service in the armed forces of the United States.

District of Columbia.  
Seniority rights for certain policemen and firemen.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) any officer or member of the Metropolitan Police force or of the Fire Department of the District of Columbia, who served in the armed forces of the United States during the period beginning May 1, 1940, and ending December 31, 1946, and (1) whose name appeared during such service (as a result of a regular or reopened competitive examination for promotion) on any civil-service register with respect to such force or department for promotion to a higher rank or grade, or (2) whose name appeared on such a register as a result of a reopened examination taken subsequent to his release, shall, for the purpose of determining his seniority rights and service in such rank or grade, be held to have been promoted to such rank or grade as of the earliest date on which an eligible standing lower on the same promotion register received a promotion either permanently or temporarily to such rank or grade.

Reenlistment.

(b) No officer or member of the Metropolitan Police force or of the Fire Department of the District of Columbia shall be entitled to the benefits of this section who has reenlisted after June 1, 1945, in the Regular Military Establishment or after February 1, 1945, in the Regular Naval Establishment.

Rank and pay, restrictions.

SEC. 2. No officer or member of the Metropolitan Police force or of the Fire Department of the District of Columbia shall, by reason of the enactment of this Act, be (1) reduced in rank or grade, or (2) entitled to any compensation for any period prior to the date of enactment of this Act.

Approved July 1, 1947.

## [CHAPTER 194]

## AN ACT

July 1, 1947  
[H. R. 2237]  
[Public Law 155]

To correct an error in section 342 (b) (8) of the Nationality Act of 1940, as amended.

Nationality Act of 1940, amendment.  
54 Stat. 1161; 58 Stat. 755.  
8 U. S. C. § 742 (b) (8).  
Fees for furnishing copies of records.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 342 (b) (8) of the Nationality Act of 1940, as amended (58 Stat. 745; U. S. C., Supp. 742 (b) (8)), is amended to read as follows:

“(8) Reasonable fees, with the approval of the Attorney General, in cases where such fees have not been established by law, to cover the cost of furnishing copies, whether certified or uncertified, of any part of the records, or information from the records, of the Service. Such fees shall not exceed a maximum of 25 cents per folio, with a minimum fee of 50 cents for any one such service, in addition to a fee of \$1 for any official certification furnished under seal. No such fee shall be required from officers or agencies of the United States or of any State or any subdivision thereof, for such copies or information furnished for official use in connection with the official duties of such officers or agencies.”

Copies furnished without charge.

Approved July 1, 1947.

## [CHAPTER 195]

## JOINT RESOLUTION

To grant authority for the erection of a permanent building for the American National Red Cross, District of Columbia Chapter, Washington, District of Columbia.

July 1, 1947  
[H. J. Res. 193]  
[Public Law 156]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That authority be, and is hereby, given to the American National Red Cross to erect upon the south half of square 104 in the city of Washington, District of Columbia, a permanent building for the use of the District of Columbia Chapter, American National Red Cross, in connection with its work, in cooperation with the Government of the United States and its responsibilities under its charter granted by the Congress of the United States.

American National Red Cross.  
Authority to erect building for D. C. Chapter.

SEC. 2. That the plans of the proposed building shall first be approved by the American National Red Cross, the Commission of Fine Arts and the National Capital Park and Planning Commission and the erection and design thereof shall be under the supervision of the Administrator of the Federal Works Agency in accordance with the provisions of the Public Buildings Act of May 25, 1926, as amended and as hereby further amended.

Approval of plans, etc.

SEC. 3. That the cost of the removal of the buildings on this site shall be borne by the American National Red Cross, District of Columbia Chapter, without expense to the United States.

44 Stat. 630.  
40 U. S. C. §§ 341-347.

Cost of removal of buildings.

SEC. 4. That said permanent building shall remain the property of the United States but under the supervision of the Administrator of the Federal Works Agency and the American National Red Cross, District of Columbia Chapter, shall, at all times be charged with the responsibility, care, keeping, and maintenance of said building without expense to the United States.

Property of U. S.

Maintenance, etc.

SEC. 5. That moneys of the American National Red Cross, District of Columbia Chapter, available for the construction of the aforesaid building, including any amount administratively determined necessary for the payment of salaries and expenses of personnel engaged upon the preparation of plans and specifications, field supervision, and general office expenses, may be transferred to and expended by the Public Buildings Administration of the Federal Works Agency, and such funds may be consolidated in the books of the Treasury Department into a special account for direct expenditure in the prosecution of said work, and the Commissioner of Public Buildings is authorized to prepare drawings and specifications for this building prior to the approval by the Attorney General of the title to such acquisition.

Transfer of funds, etc.

Preparation of drawings, etc., prior to approval of title.

SEC. 6. That said building shall be appropriate in design and character and shall be used by the American National Red Cross, District of Columbia Chapter, and shall cost not less than \$1,000,000: *Provided*, That this expenditure shall include complete equipment.

Use; minimum cost.

SEC. 7. That the person, firm, or corporation which the Commissioner of Public Buildings shall select to furnish professional architectural and engineering services required for the project shall be chosen from nominations made by the American National Red Cross, District of Columbia Chapter.

Selection of person to furnish architectural services, etc.

SEC. 8. That the National Capital Housing Authority is hereby authorized and directed to transfer to the jurisdiction of the Federal Works Administrator such part of the site for said building as is now under the jurisdiction of said Authority: *Provided*, That the Treasurer of the United States is authorized and directed to credit said Authority with the fair market value, at the date of transfer, of the property so transferred: *Provided further*, That the Federal Works

Transfer of property.

Credit.

Administrator is hereby authorized to utilize the property so transferred, as well as that part of the site already under his jurisdiction, for the purposes of this Act.

Furnishing of steam  
to building.

SEC. 9. That the Federal Works Administrator, through the Public Buildings Administration, is hereby authorized to furnish steam from the central heating plant for the heating of said building, such steam to be paid for by the American National Red Cross, District of Columbia Chapter, at such reasonable rates, not less than cost, as may be determined by the Federal Works Administrator: *Provided*, That the Federal Works Administrator, through the Public Buildings Administration, is authorized to prepare plans and specifications and to supervise and to contract for the work necessary to connect said building with the Government mains and to pay the cost of such work and services, including administrative expenses, from the funds consolidated into the Treasury pursuant to section 5 thereof.

Preparation of plans,  
etc.

SEC. 10. The enactment of this joint resolution shall not be construed as establishing a policy of the United States Government to furnish building sites for Red Cross chapters or any eleemosynary institution at any other place.

Approved July 1, 1947.

#### [CHAPTER 196]

#### JOINT RESOLUTION

July 1, 1947  
[S. J. Res. 113]  
[Public Law 157]

Authorizing the erection in the District of Columbia of a memorial to the Marine Corps dead of all wars.

Marine Corps me-  
morial in D. C.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior is authorized and directed to grant authority to the Marine Corps League, Incorporated, to erect a memorial on public grounds in the District of Columbia in honor and in commemoration of the men of the United States Marine Corps who have given their lives to their country.

Approval of design  
and site.

SEC. 2. The design and the site of such memorial shall be approved by the National Commission of Fine Arts, and the United States shall be put to no expense in or by the erection thereof.

Time limitation.

SEC. 3. The authority conferred pursuant to this joint resolution shall lapse unless (1) the erection of such memorial is commenced within five years from the date of passage of this joint resolution, and (2) prior to its commencement funds are certified available in an amount sufficient, in the judgment of the Secretary of the Interior, to insure completion of the memorial.

Approved July 1, 1947.

#### [CHAPTER 202]

#### AN ACT

July 1, 1947  
[H. R. 1375]  
[Public Law 158]

To further amend section 10 of the Pay Readjustment Act of 1942, so as to provide for the clothing allowance of enlisted men of the Army, Marine Corps, and Marine Corps Reserve.

56 Stat. 363.  
37 U. S. C. § 110.  
*Ante*, p. 192.

Clothing for enlisted  
men.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 10 of the Pay Readjustment Act of 1942, as amended, is hereby further amended by changing the last paragraph of the said section to read as follows:

“Hereafter the President may prescribe the quantity and kind of clothing which shall be furnished annually to enlisted men of the Army, Navy, Marine Corps, the Coast Guard, the Naval Reserve, the

Marine Corps Reserve, and the Coast Guard Reserve, and he may prescribe the amount of a cash allowance to be paid to such enlisted men in any case in which clothing is not so furnished to them."

Approved July 1, 1947.

[CHAPTER 203]

AN ACT

To authorize the Secretary of War and the Secretary of the Navy to pay certain expenses incident to training, attendance, and participation of personnel of the Army of the United States and of the naval service, respectively, in the Seventh Winter Sports Olympic Games and the Fourteenth Olympic Games and for future Olympic games.

July 1, 1947  
[H. R. 2276]  
[Public Law 159]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War and the Secretary of the Navy are hereby authorized to direct the training and attendance of personnel of the Army of the United States and of the naval service, respectively, as participants in the Seventh Winter Sports Olympic Games and the Fourteenth Olympic Games and future Olympic games: *Provided*, That the Secretary of War is further authorized to direct the training and attendance of animals of the Army of the United States for such games: *Provided further*, That the expenses in amounts not to exceed \$75,000 for the Army and \$50,000 for the Navy, incident to the training, attendance, and participation in the Seventh Winter Sports Olympic Games and the Fourteenth Olympic Games, including the use of such supplies, material, and equipment as in the opinion of the Secretary of War and the Secretary of the Navy, respectively, may be necessary, may be charged to the appropriations for the support of the Army and appropriations for the Navy Department and the naval service, respectively, for the fiscal years 1948 and 1949: *And provided further*, That applicable allowances which are or may be fixed by law or regulations for participation in other military activities shall not be exceeded.

Olympic games.  
Participation of  
Army and Navy.

Expenses:

Approved July 1, 1947.

[CHAPTER 204]

AN ACT

To authorize the transfer to the Panama Canal of property which is surplus to the needs of the War Department or Navy Department.

July 2, 1947  
[H. R. 3629]  
[Public Law 160]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the War Department and the Navy Department are authorized to transfer to the Panama Canal, regardless of present location and without charge to the Panama Canal, materials, supplies, tools, and equipment of every character, including structures, vessels, and floating equipment, which are surplus to the needs of the department having title thereto and which may be certified by the Governor of the Panama Canal as necessary for the care, maintenance, operation, improvement, sanitation, and government of the Panama Canal and Canal Zone.

Panama Canal.  
Transfer of surplus  
supplies.

Approved July 2, 1947.

[CHAPTER 206]

AN ACT

Making appropriations to meet emergencies for the fiscal year ending June 30, 1948, and for other purposes.

July 3, 1947  
[H. R. 4031]  
[Public Law 161]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year 1948, and for other purposes, namely:

Emergency Approp-  
riation Act, 1948.  
*Ante*, pp. 118, 187;  
*post*, pp. 245, 260, 361,  
425, 460, 523, 585, 608,  
609, 610, 695, 941.



## INDEPENDENT OFFICES

## OFFICE OF GOVERNMENT REPORTS

There is hereby appropriated such amount as may be necessary to enable the Office of Government Reports to continue in operation at the same rate and under the same authority as provided for such agency in the fiscal year 1947 until the date of enactment of the Independent Offices Appropriation Act, 1948.

*Post*, p. 588.

## VETERANS' ADMINISTRATION

The Administrator of Veterans' Affairs is hereby authorized to disburse, during the month of July 1947, one-twelfth of the amount provided in each appropriation for the Veterans' Administration included in H. R. 3839 as passed by the House of Representatives and there are hereby appropriated such amounts as may be necessary for such disbursements: *Provided*, That amounts expended hereunder shall be deducted from such appropriation for 1948 when H. R. 3839 is enacted into law.

*Post*, p. 604.

Automobiles and other conveyances for disabled veterans: The authority and funds provided under this heading in the First Supplemental Appropriation Act, 1947 (Public Law 663, 79th Congress) are hereby continued available until June 30, 1948.

60 Stat. 915.  
38 U. S. C. § 252.  
*Post*, p. 617.

## DISTRICT OF COLUMBIA

The following sums are appropriated for the District of Columbia out of any money in the Treasury to the credit of the District of Columbia not otherwise appropriated, toward expenses for the fiscal year ending June 30, 1948:

*Post*, pp. 426-445.

Employees' compensation fund, \$15,000.

Repairs and maintenance of buildings and grounds, public schools, \$50,000.

Operating expenses, Public Library, \$10,000.

Operating expenses, Recreation Department, \$50,000.

Salaries and expenses, Metropolitan Police, \$10,000.

Salaries and expenses, Fire Department, \$10,000.

Policemen's and Firemen's Relief, \$50,000.

Salaries and expenses, agency services, Public Welfare, \$205,000.

Operating expenses, Office of Superintendent of District Buildings, Public Works, \$50,000.

Operating expenses, Electrical Division, Public Works, \$10,000.

Salaries and expenses, Central Garage, Public Works, \$10,000.

Operating expenses, Street and Bridge Divisions (payable from highway fund), \$50,000.

Salaries and expenses, Department of Vehicles and Traffic (payable from highway fund), \$10,000.

Salaries and expenses, Division of Trees and Parking (payable from highway fund), \$10,000.

Operating expenses, Refuse Division, Public Works, \$150,000.

Operating expenses, Sewer Division, Public Works, \$50,000.

Capital outlay, Sewer Division, Public Works, \$50,000.

Operating expenses, Washington Aqueduct (payable from water fund), \$23,000.

The foregoing sums for the District of Columbia shall, unless otherwise specifically provided, be paid out of the general fund of the District of Columbia as defined in the District of Columbia Appropriation Act, 1947, and shall be deducted from the appropriations for the same purposes contained in the District of Columbia Appropriation Act, 1948, when enacted into law.

60 Stat. 501.

*Post*, p. 425.

## DEPARTMENT OF AGRICULTURE

## BUREAU OF ANIMAL INDUSTRY

Control and eradication of foot-and-mouth disease and rinderpest: To enable the Secretary of Agriculture, during July 1947, to control and eradicate foot-and-mouth disease and rinderpest as authorized by the Act of February 28, 1947 (Public Law 8), and the Act of May 29, 1884, as amended (7 U. S. C. 391; 21 U. S. C. 111-122), including expenses in accordance with section 2 of said Public Law 8, \$5,000,000, to be merged with the appropriation made under this head in the Second Urgent Deficiency Appropriation Act, 1947 (Public Law 122).

*Post*, pp. 532, 617.

*Ante*, p. 7.

23 Stat. 31.

*Ante*, p. 7.

*Ante*, p. 185.

## SUGAR RATIONING ADMINISTRATION

Salaries and expenses: To enable the Secretary of Agriculture to perform, during July 1947, the functions and duties vested in him by the Sugar Control Extension Act of 1947 (Public Law 30), \$750,000, including personal services in the District of Columbia; services as authorized by section 15 of the Act of August 2, 1946; printing and binding; not to exceed \$10,000 for test purchases of commodities and ration currency for enforcement purposes; and hire of passenger motor vehicles: *Provided*, That not to exceed \$40,000 may be transferred to the regular departmental appropriation for penalty mail as required by the Act of June 28, 1944: *Provided further*, That of the amount herein \$400,000 shall be available exclusively for terminal leave.

*Ante*, p. 35; *post*, p. 618.

60 Stat. 810.  
5 U. S. C. § 55a.

58 Stat. 394.  
39 U. S. C. §§ 321c-321h.  
*Post*, p. 450.

## DEPARTMENT OF THE INTERIOR

The Secretary of the Interior is hereby authorized to incur obligations for administrative and force account expenses for the continued operation of any activity of the Department of the Interior for which provision is made in H. R. 3123, a bill making appropriations for the Department of the Interior for the fiscal year ending June 30, 1948, and for other purposes, or in any Senate amendment thereto, but for which obligations may not be incurred under the provisions of section 102 of the Second Urgent Deficiency Appropriation Act, 1947 (Public Law 122), and for War Agency Liquidation in accordance with the terms of the Budget estimate contained in House Document Numbered 312: *Provided*, That such obligations shall not exceed the rate of obligation provided for such activity for the fiscal year 1947: *Provided further*, That the authority conferred hereunder shall continue until July 31, 1947, or until the date of enactment of H. R. 3123 into law, whichever is the earlier date, except in the case of War Agency Liquidation, which authority shall extend until the date of approval of the appropriation Act providing the supplemental appropriation for this activity for the fiscal year 1948.

*Post*, p. 460.

*Ante*, p. 187.

*Post*, pp. 460, 620.

*Post*, p. 460.

*Post*, p. 620.

## DEPARTMENT OF LABOR

## UNITED STATES CONCILIATION SERVICE

For salaries and expenses from July 1, 1947, to August 21, 1947, United States Conciliation Service, including printing and binding, travel, penalty mail, and all expenses authorized for such service in the Department of Labor Appropriation Act, 1947, \$430,000.

60 Stat. 680.

SEC. 2. Section 102 of the Second Urgent Deficiency Appropriation Act, 1947, is amended by striking out the last two words of such section and by inserting in lieu thereof the following: "provisions of such appropriation Acts as passed by the House or of any Senate

*Ante*, p. 187.

Administrative and  
force account expenses.

Termination of au-  
thority.

Short title.

amendment thereto: *Provided*, That such obligations shall be limited to administrative and force account expenses and not exceed the rate of obligation under any corresponding appropriation for the fiscal year 1947: *Provided further*, That the authority conferred hereunder shall continue until July 31, 1947, or until the date of enactment of such appropriation Act, whichever is the earlier date: *Provided further*, That in the case of any activity (including the District of Columbia) for which funds were provided by Congress for 1947 and for which an estimate for the fiscal year 1948 was submitted by the President to the Congress prior to July 2, 1947, but for which no provision for an appropriation is contained in any bill pending in Congress on July 1, 1947, obligations therefor for administrative and force account expenses may be incurred at a rate not to exceed the rate of obligation under any corresponding appropriation for the fiscal year 1947 or the budget estimate for 1948, whichever is the smaller, but the authority conferred under this proviso shall expire on whichever of the following dates first occurs: (1) on July 31, 1947, (2) the date of enactment of an appropriation Act making an appropriation for such activity, or (3) the date both Houses shall have acted and failed to make an appropriation for such activity".

SEC. 3. This Act may be cited as the "Emergency Appropriation Act, 1948".

Approved July 3, 1947.

#### [CHAPTER 207]

#### AN ACT

For the establishment of the Commission on Organization of the Executive Branch of the Government.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### DECLARATION OF POLICY

SECTION 1. It is hereby declared to be the policy of Congress to promote economy, efficiency, and improved service in the transaction of the public business in the departments, bureaus, agencies, boards, commissions, offices, independent establishments, and instrumentalities of the executive branch of the Government by—

- (1) limiting expenditures to the lowest amount consistent with the efficient performance of essential services, activities, and functions;
- (2) eliminating duplication and overlapping of services, activities, and functions;
- (3) consolidating services, activities, and functions of a similar nature;
- (4) abolishing services, activities, and functions not necessary to the efficient conduct of government; and
- (5) defining and limiting executive functions, services, and activities.

#### ESTABLISHMENT OF THE COMMISSION ON ORGANIZATION OF THE EXECUTIVE BRANCH

SEC. 2. For the purpose of carrying out the policy set forth in section 1 of this Act, there is hereby established a bipartisan commission to be known as the Commission on Organization of the Executive Branch of the Government (in this Act referred to as the "Commission").

July 7, 1947  
[H. R. 775]  
[Public Law 162]

Commission on Or-  
ganization of the Ex-  
ecutive Branch of the  
Government.  
*Post*, p. 696.

## MEMBERSHIP OF THE COMMISSION

SEC. 3. (a) **NUMBER AND APPOINTMENT.**—The Commission shall be composed of twelve members as follows:

(1) Four appointed by the President of the United States, two from the executive branch of the Government and two from private life;

(2) Four appointed by the President pro tempore of the Senate, two from the Senate and two from private life; and

(3) Four appointed by the Speaker of the House of Representatives, two from the House of Representatives and two from private life.

(b) **POLITICAL AFFILIATION.**—Of each class of two members mentioned in subsection (a), not more than one member shall be from each of the two major political parties.

(c) **VACANCIES.**—Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

## ORGANIZATION OF THE COMMISSION

SEC. 4. The Commission shall elect a Chairman and a Vice Chairman from among its members.

## QUORUM

SEC. 5. Seven members of the Commission shall constitute a quorum.

## COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 6. (a) **MEMBERS OF CONGRESS.**—Members of Congress who are members of the Commission shall serve without compensation in addition to that received for their services as Members of Congress; but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(b) **MEMBERS FROM THE EXECUTIVE BRANCH.**—The members of the Commission who are in the executive branch of the Government shall each receive the compensation which he would receive if he were not a member of the Commission, plus such additional compensation, if any (notwithstanding section 6 of the Act of May 10, 1916, as amended; 39 Stat. 582; 5 U. S. C. 58), as is necessary to make his aggregate salary \$12,500; and they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(c) **MEMBERS FROM PRIVATE LIFE.**—The members from private life shall each receive \$50 per diem when engaged in the performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties.

## STAFF OF THE COMMISSION

SEC. 7. The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable, in accordance with the provisions of the civil-service laws and the Classification Act of 1923, as amended.

*Post*, p. 940.

42 Stat. 1488.  
5 U. S. C. §§ 661-674.

## EXPENSES OF THE COMMISSION

SEC. 8. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this Act.

Appropriation authorized.  
*Post*, p. 696.

## EXPIRATION OF THE COMMISSION

SEC. 9. Ninety days after the submission to the Congress of the report provided for in section 10 (b), the Commission shall cease to exist.

## DUTIES OF THE COMMISSION

SEC. 10. (a) INVESTIGATION.—The Commission shall study and investigate the present organization and methods of operation of all departments, bureaus, agencies, boards, commissions, offices, independent establishments, and instrumentalities of the executive branch of the Government, to determine what changes therein are necessary in their opinion to accomplish the purposes set forth in section 1 of this Act.

(b) REPORT.—Within ten days after the Eighty-first Congress is convened and organized, the Commission shall make a report of its findings and recommendations to the Congress.

## POWERS OF THE COMMISSION

SEC. 11. (a) HEARINGS AND SESSIONS.—The Commission, or any member thereof, may, for the purpose of carrying out the provisions of this Act, hold such hearings and sit and act at such times and places, and take such testimony, as the Commission or such member may deem advisable. Any member of the Commission may administer oaths or affirmations to witnesses appearing before the Commission or before such member.

(b) OBTAINING OFFICIAL DATA.—The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates, and statistics for the purpose of this Act; and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

Approved July 7, 1947.

## [CHAPTER 208]

## AN ACT

To fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## TITLE I—SALARY SCHEDULES

SECTION 1. That on and after July 1, 1947, the salaries of teachers, school officers, and certain other employees of the Board of Education of the District of Columbia shall be as follows, and, wherever the term "other employees" is used in this Act, it shall be interpreted to include only those employees of the Board of Education whose positions are included in the following schedule:

"Other employees."

July 7, 1947

[H. R. 3611]

[Public Law 163]

District of Columbia Teachers' Salary Act of 1947.

ARTICLE I—SALARIES OF TEACHERS, SCHOOL LIBRARIANS, RESEARCH ASSISTANTS, AND COUNSELORS

CLASS 1—TEACHERS IN ELEMENTARY SCHOOLS

Group A: A basic salary of \$2,500 per year, with an annual increase in salary of \$100 for fifteen years, or until a maximum salary of \$4,000 per year is reached.

Group C: A basic salary of \$3,000 per year, with an annual increase in salary of \$100 for fifteen years, or until a maximum salary of \$4,500 per year is reached.

CLASS 2—TEACHERS IN JUNIOR HIGH SCHOOLS

Group A: A basic salary of \$2,500 per year, with an annual increase in salary of \$100 for fifteen years, or until a maximum salary of \$4,000 per year is reached.

Group C: A basic salary of \$3,000 per year, with an annual increase in salary of \$100 for fifteen years, or until a maximum salary of \$4,500 per year is reached.

CLASS 3—TEACHERS IN SENIOR HIGH SCHOOLS

Group A: A basic salary of \$2,500 per year, with an annual increase in salary of \$100 for fifteen years, or until a maximum salary of \$4,000 per year is reached.

Group C: A basic salary of \$3,000 per year, with an annual increase in salary of \$100 for fifteen years, or until a maximum salary of \$4,500 per year is reached.

CLASS 4—SCHOOL LIBRARIANS

Group A: A basic salary of \$2,500 per year, with an annual increase in salary of \$100 for fifteen years, or until a maximum salary of \$4,000 per year is reached.

Group C: A basic salary of \$3,000 per year, with an annual increase of \$100 in salary for fifteen years, or until a maximum salary of \$4,500 per year is reached.

CLASS 5—TEACHERS IN VOCATIONAL HIGH SCHOOLS

Group A: A basic salary of \$2,500 per year, with an annual increase in salary of \$100 for fifteen years, or until a maximum salary of \$4,000 per year is reached.

Group C: A basic salary of \$3,000 per year, with an annual increase in salary of \$100 for fifteen years, or until a maximum salary of \$4,500 per year is reached.

CLASS 6—RESEARCH ASSISTANTS AND COUNSELORS

Group A: A basic salary of \$2,500 per year, with an annual increase in salary of \$100 for fifteen years, or until a maximum salary of \$4,000 per year is reached.

Group C: A basic salary of \$3,000 per year, with an annual increase in salary of \$100 for fifteen years, or until a maximum salary of \$4,500 per year is reached.

CLASS 7—INSTRUCTORS IN TEACHERS COLLEGES

Group A: A basic salary of \$2,500 per year, with an annual increase in salary of \$100 for fifteen years, or until a maximum salary of \$4,000 per year is reached.

Group C: A basic salary of \$3,000 per year, with an annual increase in salary of \$100 for fifteen years, or until a maximum salary of \$4,500 per year is reached.

CLASS 8—LIBRARIANS IN TEACHERS COLLEGES

Group A: A basic salary of \$2,500 per year, with an annual increase in salary of \$100 for fifteen years, or until a maximum salary of \$4,000 per year is reached.

Group C: A basic salary of \$3,000 per year, with an annual increase in salary of \$100 for fifteen years, or until a maximum salary of \$4,500 per year is reached.

CLASS 9—CHIEF LIBRARIANS IN TEACHERS COLLEGES

A basic salary of \$4,100 per year, with an annual increase in salary of \$100 for ten years, or until a maximum salary of \$5,100 per year is reached.

CLASS 10—ASSISTANT PROFESSORS IN TEACHERS COLLEGES

A basic salary of \$4,100 per year, with an annual increase in salary of \$100 for ten years, or until a maximum salary of \$5,100 per year is reached.

CLASS 11—ASSOCIATE PROFESSORS IN TEACHERS COLLEGES

A basic salary of \$4,500 per year, with an annual increase in salary of \$100 for ten years, or until a maximum salary of \$5,500 per year is reached.

CLASS 12—PROFESSORS IN TEACHERS COLLEGES

A basic salary of \$5,000 per year, with an annual increase in salary of \$100 for ten years, or until a maximum salary of \$6,000 per year is reached.

ARTICLE II—SALARIES OF ADMINISTRATIVE AND SUPERVISORY OFFICERS  
AND EMPLOYEES IN THE DEPARTMENT OF SCHOOL ATTENDANCE AND  
WORK PERMITS

CLASS 13—PRINCIPALS IN ELEMENTARY SCHOOLS WITH SIXTEEN OR MORE  
ROOMS, AND PRINCIPALS IN AMERICANIZATION SCHOOLS

A basic salary of \$4,300 per year, with an annual increase in salary of \$100 for ten years, or until a maximum salary of \$5,300 per year is reached.

CLASS 14—ASSISTANT PRINCIPALS IN JUNIOR HIGH SCHOOLS

A basic salary of \$4,300 per year, with an annual increase in salary of \$100 for ten years, or until a maximum salary of \$5,300 per year is reached.

CLASS 15—ASSISTANT PRINCIPALS IN VOCATIONAL HIGH SCHOOLS

A basic salary of \$4,300 per year, with an annual increase in salary of \$100 for ten years, or until a maximum salary of \$5,300 per year is reached.

CLASS 16—ASSISTANT PRINCIPALS IN SENIOR HIGH SCHOOLS

A basic salary of \$4,500 per year, with an annual increase in salary of \$100 for ten years, or until a maximum salary of \$5,500 per year is reached.

## CLASS 17—HEADS OF DEPARTMENTS

A basic salary of \$4,500 per year, with an annual increase in salary of \$100 for ten years, or until a maximum salary of \$5,500 per year is reached.

## CLASS 18—PRINCIPALS OF JUNIOR HIGH SCHOOLS

A basic salary of \$4,800 per year, with an annual increase in salary of \$100 for ten years, or until a maximum salary of \$5,800 per year is reached.

## CLASS 19—PRINCIPALS OF VOCATIONAL HIGH SCHOOLS

A basic salary of \$4,800 per year, with an annual increase in salary of \$100 for ten years, or until a maximum salary of \$5,800 per year is reached.

## CLASS 20—PRINCIPALS OF SENIOR HIGH SCHOOLS

A basic salary of \$5,300 per year, with an annual increase in salary of \$100 for ten years, or until a maximum salary of \$6,300 per year is reached.

## CLASS 21—ASSISTANT DIRECTORS

A basic salary of \$4,500 per year, with an annual increase in salary of \$100 for ten years, or until a maximum salary of \$5,500 per year is reached.

## CLASS 22—DIRECTORS

A basic salary of \$5,300 per year, with an annual increase in salary of \$100 for ten years, or until a maximum salary of \$6,300 per year is reached.

## CLASS 23—DIVISIONAL DIRECTORS

A basic salary of \$5,300 per year, with an annual increase in salary of \$100 for ten years, or until a maximum salary of \$6,300 per year is reached.

## CLASS 24—CHIEF EXAMINERS

A basic salary of \$5,300 per year, with an annual increase in salary of \$100 for ten years, or until a maximum salary of \$6,300 per year is reached.

## CLASS 25—PRESIDENTS OF TEACHERS COLLEGES

A basic salary of \$6,400 per year, with an annual increase in salary of \$200 for the first six years and \$100 for the seventh year, or until a maximum salary of \$7,700 per year is reached.

## CLASS 26—ASSOCIATE SUPERINTENDENTS

A basic salary of \$6,400 per year, with an annual increase in salary of \$200 for the first six years and \$100 for the seventh year, or until a maximum salary of \$7,700 per year is reached.

CLASS 27—ASSISTANT TO THE SUPERINTENDENT (IN CHARGE OF  
BUSINESS ADMINISTRATION)

A basic salary of \$7,400 per year, with an annual increase in salary of \$200 for the first six years and \$100 for the seventh year, or until a maximum salary of \$8,700 per year is reached.

## CLASS 28—FIRST ASSISTANT SUPERINTENDENTS

A basic salary of \$7,400 per year, with an annual increase in salary of \$200 for the first six years and \$100 for the seventh year, or until a maximum salary of \$8,700 per year is reached.



## CLASS 29—SUPERINTENDENT OF SCHOOLS

A salary of \$14,000 per year.

## DEPARTMENT OF SCHOOL ATTENDANCE AND WORK PERMITS

## CLASS 30—DIRECTOR

A basic salary of \$4,500 per year, with an annual increase in salary of \$100 for ten years, or until a maximum salary of \$5,500 per year is reached.

## CLASS 31—CHIEF ATTENDANCE OFFICERS

A basic salary of \$3,600 per year, with an annual increase in salary of \$100 for ten years, or until a maximum salary of \$4,600 per year is reached.

## CLASS 32—ATTENDANCE OFFICERS

A basic salary of \$2,500 per year, with an annual increase in salary of \$100 for fifteen years, or until a maximum salary of \$4,000 per year is reached.

## CLASS 33—CENSUS SUPERVISORS

A basic salary of \$2,500 per year, with an annual increase in salary of \$100 for fifteen years, or until a maximum salary of \$4,000 per year is reached.

## CLASS 34—CHILD-LABOR INSPECTORS

A basic salary of \$2,500 per year, with an annual increase in salary of \$100 for fifteen years, or until a maximum salary of \$4,000 per year is reached.

The teachers, school officers, and other employees provided for in this title, during the first year of service after the effective date of this Act shall receive compensation in accordance with the provisions of sections 2, 4, 5, 6, 8, and 9 of this Act.

*Post*, pp. 253, 254, 258.

## TITLE II—CLASSIFICATION AND ASSIGNMENT OF EMPLOYEES

Eligibility requirements; appointment; promotion.

Classification and assignment of teachers, etc.

Teachers, etc., in positions on June 30, 1947.

Continuance of employment.

Master's degree. Requirement for certain appointments, etc.

Annual increases without master's degree.

Minimum compensation.

SEC. 2. The Board of Education is hereby authorized to establish the eligibility requirements and prescribe such methods of appointment or promotion for teachers, officers, and other employees as it may deem proper. The Board of Education is hereby authorized, empowered, and directed, on written recommendation of the Superintendent of Schools, to classify and assign all teachers, school officers, and other employees to the salary classes and positions in the foregoing salary schedule: *Provided*, That teachers, school officers, and other employees on probationary or permanent status shall not be required to take any examinations, either mental or physical, to be continued in the positions in which they are employed on June 30, 1947, or to which they may be transferred and assigned under the provisions of section 6 of this Act. Except as hereinafter provided in this section, no teacher, school officer, or other employee shall be appointed in or promoted to group C in any class or appointed in or promoted to classes 13 to 30, inclusive, or receive a salary in excess of \$4,000 in any class or in any class and group unless he possesses a master's degree: *Provided, however*, That any school officer without a master's degree in any one of the classes 13 to 30, inclusive, on June 30, 1947, shall thereafter be entitled to annual increases until he reaches an annual salary rate not more than \$500 below the maximum of his class: *And provided further, however*, That no teacher, school officer, or other employee shall receive compensation at a rate less

than his annual compensation as of June 30, 1947, including the additional compensation authorized by the Act entitled "An Act to authorize increases in the salary rates of teachers, school officers, and other employees of the Board of Education of the District of Columbia whose pay is fixed and regulated by the 'District of Columbia Teachers' Salary Act of 1945', as amended", approved July 31, 1946. When used in this Act, the words "master's degree" shall mean a master's degree granted in course by an accredited higher educational institution.

SEC. 3. The Board of Education, on recommendation of the Superintendent of Schools, is authorized, empowered, and directed to assign, at the time of appointment, teachers, school officers, or other employees hereafter appointed to the salary classes and positions in the foregoing salary schedule in accordance with previous experience, eligibility qualifications possessed, and the character of the duties to be performed by such persons: *Provided*, That the first year of service of any newly appointed teacher, school officer, or other employee shall be probationary.

60 Stat. 717.  
Post, p. 260.  
"Master's degree."

Teachers, etc., hereafter appointed.  
Assignment.

Probationary period.

### TITLE III—METHOD OF ASSIGNMENT OF EMPLOYEES TO SALARIES

SEC. 4. For the fiscal year ending June 30, 1948, each teacher, school officer, or other employee in the service of the Board of Education on permanent or probationary tenure on June 30, 1947, shall, except as provided in section 2 of this Act, receive the salary provided in the foregoing schedule for his class or position in accordance with the following rules:

(a) For the purposes of the following provisions of this section and of section 5 of this Act, the annual compensation received by any teacher, school officer, or other employee shall be defined as the annual compensation received by such employee on June 30, 1947, under the provisions of title I of the District of Columbia Teachers' Salary Act of 1945, approved July 21, 1945, exclusive of any additional compensation authorized by the Act approved July 31, 1946.

(b) Teachers, school officers, or other employees shall receive an increase in their annual compensation at the rate of \$600 at the beginning of the fiscal year ending June 30, 1948: *Provided*, That each teacher, school officer, or other employee shall receive during the fiscal year ending June 30, 1948, the minimum or basic salary of the class or class and group to which he is assigned where the minimum or basic salary of said class or class and group exceeds by more than \$600 the annual compensation received by such employee on June 30, 1947: *Provided further*, That each teacher, school officer, or other employee whose salary is increased at the rate of not more than \$600 per annum during the fiscal year ending June 30, 1948, shall also receive one annual increase in salary in the amount provided in title I of this Act for his class or class and group if he would have been entitled to an annual increase on July 1, 1947, under the provisions of said Act of July 21, 1945, as amended.

SEC. 5. (a) Each teacher, school officer, or other employee in the service of the Board of Education on probationary tenure on June 30, 1947, whose annual compensation is increased under the provisions of this Act at the rate of not more than \$600 during the fiscal year ending June 30, 1948, and each teacher, school officer, or other employee who may be appointed or promoted on probationary tenure after June 30, 1947, shall receive his first annual increase on the date of his permanent appointment or promotion.

(b) Each teacher, school officer, or other employee in the service of the Board of Education on probationary tenure on June 30, 1947, whose annual compensation is increased under the provisions of this

Rules.

Annual compensation defined.

59 Stat. 488; 60 Stat. 717.  
D. C. Code, Supp. V, § 31-638.  
Post, p. 260.  
Increases.  
Minimum compensation.

Ante, p. 248.

59 Stat. 488.  
D. C. Code, Supp. V, §§ 31-638 to 31-658.  
Post, p. 260.  
Teachers, etc., on probationary tenure.  
First annual increase.

Teachers, etc., in  
service on July 1, 1947.  
Placement.

59 Stat. 488.  
D. C. Code, Supp.  
V, §§ 31-638 to 31-658.  
Post, p. 260.

Act at the rate of more than \$600 during the fiscal year ending June 30, 1948, shall receive his first annual increase on July 1, 1948.

SEC. 6. Teachers, school officers, and other employees in the service of the Board of Education on July 1, 1947, assigned to salary classes and positions under the said Act of July 21, 1945, shall be placed in the salary classes and positions of the foregoing salary schedule as follows:

(a) Teachers in kindergartens and elementary schools, now assigned to salary class 1, group A, shall be transferred and assigned to salary class 1, group A, of the foregoing schedule;

(b) Teachers in kindergartens and elementary schools, now assigned to salary class 1, group B, shall be transferred and assigned to salary class 1, group A, of the foregoing schedule;

(c) Teachers in junior high schools, now assigned to salary class 2, group A, shall be transferred and assigned to salary class 2, group A, of the foregoing schedule;

(d) Teachers in junior high schools, now assigned to salary class 2, group B, shall be transferred and assigned to salary class 2, group A, of the foregoing schedule;

(e) Teachers in junior high schools, now assigned to salary class 2, group C, shall be transferred and assigned to salary class 2, group C, of the foregoing schedule, except that teachers without master's degrees now assigned to salary class 2, group C, shall be transferred and assigned to salary class 2, group A, of the foregoing schedule;

(f) Teachers in junior high schools, now assigned to salary class 2, group D, shall be transferred and assigned to salary class 2, group C, of the foregoing schedule, except that teachers without master's degrees now assigned to salary class 2, group D, shall be transferred and assigned to salary class 2, group A, of the foregoing schedule;

(g) Teachers in senior high schools, now assigned to salary class 3, group A, shall be transferred and assigned to salary class 3, group A, of the foregoing schedule, except that teachers with master's degrees now assigned to salary class 3, group A, shall be transferred and assigned to salary class 3, group C, of the foregoing schedule;

(h) Teachers in senior high schools, now assigned to salary class 3, group B, shall be transferred and assigned to salary class 3, group C, of the foregoing schedule, except that teachers without master's degrees now assigned to salary class 3, group B, shall be transferred and assigned to salary class 3, group A, of the foregoing schedule;

(i) Librarians in senior high school and visual instruction libraries, now assigned to salary class 4, group A, shall be transferred and assigned to salary class 4, group A, of the foregoing schedule;

(j) Librarians in senior high school and visual instruction libraries, now assigned to salary class 4, group B, shall be transferred and assigned to salary class 4, group A, of the foregoing schedule;

(k) Teachers in vocational or trade schools shall be transferred and assigned as follows:

(1) Vocational school teachers now assigned to salary class 5, group A, shall be transferred and assigned to salary class 5, group A, of the foregoing schedule;

(2) Vocational school teachers now assigned to salary class 5, group B, shall be transferred and assigned to salary class 5, group A, of the foregoing schedule;

(3) Vocational school teachers now assigned to salary class 5, group C, shall be transferred and assigned to salary class 5, group C, of the foregoing schedule, except that vocational school teachers without master's degrees now assigned to salary class 5, group C, shall be transferred and assigned to salary class 5, group A, of the foregoing schedule; and

- (4) Vocational school teachers now assigned to salary class 5, group D, shall be transferred and assigned to salary class 5, group C, of the foregoing schedule, except that vocational school teachers without master's degrees now assigned to salary class 5, group D, shall be transferred and assigned to salary class 5, group A, of the foregoing schedule;
- (l) Research assistants shall be transferred and assigned as follows:
- (1) Research assistants now assigned to salary class 6, group A, shall be transferred and assigned to salary class 6, group A, of the foregoing schedule;
- (2) Research assistants now assigned to salary class 6, group B, shall be transferred and assigned to salary class 6, group A, of the foregoing schedule;
- (3) Research assistants now assigned to salary class 6, group C, shall be transferred and assigned to salary class 6, group C, of the foregoing schedule, except that research assistants without master's degrees now assigned to salary class 6, group C, shall be transferred and assigned to salary class 6, group A, of the foregoing schedule; and
- (4) Research assistants now assigned to salary class 6, group D, shall be transferred and assigned to salary class 6, group C, of the foregoing schedule, except that research assistants without master's degrees now assigned to salary class 6, group D, shall be transferred and assigned to salary class 6, group A, of the foregoing schedule;
- (m) Instructors in the teachers colleges now assigned to salary class 7, group A, shall be transferred and assigned to salary class 7, group C, of the foregoing schedule, except that instructors in teachers colleges without master's degrees now assigned to salary class 7, group A, shall be transferred and assigned to salary class 7, group A, of the foregoing schedule;
- (n) Instructors in the teachers colleges now assigned to salary class 7, group B, shall be transferred and assigned to salary class 7, group C, of the foregoing schedule, except that instructors in teachers colleges without master's degrees now assigned to salary class 7, group B, shall be transferred and assigned to salary class 7, group A, of the foregoing schedule;
- (o) Librarians in the teachers colleges now assigned to salary class 8, group A, shall be transferred and assigned to salary class 8, group A, of the foregoing schedule, except that librarians in the teachers colleges now assigned to salary class 8, group A, with master's degrees shall be transferred and assigned to salary class 8, group C, of the foregoing schedule;
- (p) Librarians in the teachers colleges now assigned to salary class 8, group B, shall be transferred and assigned to salary class 8, group C, of the foregoing schedule, except that librarians in the teachers colleges without master's degrees now assigned to salary class 8, group B, shall be transferred and assigned to salary class 8, group A, of the foregoing schedule;
- (q) Assistant professors in teachers colleges now assigned to salary class 10, shall be transferred and assigned to salary class 10 of the foregoing schedule;
- (r) Associate professors in teachers colleges now assigned to salary class 11 shall be transferred and assigned to salary class 11 of the foregoing schedule;
- (s) Professors in teachers colleges now assigned to salary class 12 shall be transferred and assigned to salary class 12 of the foregoing schedule;
- (t) Principals in elementary schools with sixteen or more rooms, and principals in Americanization schools, now assigned to salary class

13, shall be transferred and assigned to salary class 13 of the foregoing schedule;

(u) Assistant principals in junior high schools, now assigned to salary class 14, shall be transferred and assigned to salary class 14 of the foregoing schedule;

(v) Assistant principals in senior high schools, now assigned to salary class 16, shall be transferred and assigned to salary class 16 of the foregoing schedule;

(w) Heads of departments, now assigned to salary class 17, shall be transferred and assigned to salary class 17 of the foregoing schedule;

(x) Principals of junior high schools, now assigned to salary class 18, shall be transferred and assigned to salary class 18 of the foregoing schedule;

(y) Principals of vocational schools, now assigned to salary class 19, shall be transferred and assigned to salary class 19 of the foregoing schedule;

(z) Principals of senior high schools, now assigned to salary class 20, shall be transferred and assigned to salary class 20 of the foregoing schedule;

(aa) Assistant directors, now assigned to salary class 21, shall be transferred and assigned to salary class 21 of the foregoing schedule;

(ab) Supervisors of penmanship now assigned to salary class 7, group B, shall be transferred and assigned to salary class 7, group C, of the foregoing schedule with the title of instructor in the teachers colleges. Those without master's degrees now assigned to salary class 7, group B, shall be transferred and assigned to salary class 7, group A, of the foregoing schedule with the title of instructor in the teachers colleges;

(ac) Divisional directors now assigned to salary class 23, shall be transferred and assigned to salary class 23 of the foregoing schedule;

(ad) Chief Examiner of the Board of Examiners, now assigned to salary class 24, shall be transferred and assigned to salary class 24 of the foregoing schedule;

(ae) Presidents of teachers colleges, now assigned to salary class 25, shall be transferred and assigned to salary class 25 of the foregoing schedule;

(af) Associate superintendents, now assigned to salary class 26, shall be transferred and assigned to salary class 26 of the foregoing schedule;

(ag) Assistant to the superintendent (in charge of business administration), now assigned to salary class 27, shall be transferred and assigned to salary class 27;

(ah) First assistant superintendents, now assigned to salary class 28, shall be transferred and assigned to salary class 28 of the foregoing schedule;

(ai) Superintendent of Schools, now assigned to salary class 29, shall be assigned and transferred to salary class 29;

(aj) Director of department of school attendance and work permits, now assigned to salary class 30, shall be transferred and assigned to salary class 30 of the foregoing schedule;

(ak) Chief attendance officers, now assigned to salary class 31, shall be transferred and assigned to salary class 31 of the foregoing schedule;

(al) Attendance officers, now assigned to salary class 32, shall be transferred and assigned to salary class 32 of the foregoing schedule;

(am) Census supervisors, now assigned to salary class 33, shall be transferred and assigned to salary class 33;

(an) Child-labor inspectors, now assigned to salary class 34, shall be transferred and assigned to salary class 34 of the foregoing schedule;

(ao) All teachers, school officers, and other employees in the service of the Board of Education on July 1, 1947, not specifically mentioned in the provisions of this section shall be placed in the salary classes and positions in the foregoing schedule as determined by the Board in accordance with the eligibility qualifications possessed and the character of duties to be performed by such teachers, school officers, and other employees;

Employees not specifically mentioned.

(ap) All teachers, school officers, or other employees, appointed after the effective date of this Act, shall be placed in the salary classes and positions in the foregoing schedule by the said Board, and all teachers, librarians, research assistants, counselors, instructors in the teachers colleges, attendance officers, census supervisors, and child-labor inspectors appointed after the effective date of this Act shall receive longevity increases for placement either according to the number of years of experience required by the Board of Education or the number of years of like experience acceptable to and approved by the Board of Education in accredited schools, school systems, colleges, universities, other recognized institutions, trades and industries, previous to probationary appointment in the public schools of the District of Columbia. In the case of teachers of vocational subjects the Board of Education is authorized and directed to credit approved training and experience in the trades in the same manner and to the same extent as though it were experience in and training for teaching. In crediting previous experience of any person who has been absent from his duties because of naval or military service in the armed forces of the United States or its allies, the Board of Education is hereby authorized to include such naval or military service as the equivalent of approved experience. On July 1, 1947, and thereafter, no teacher or any other employee entitled to longevity increases for placement shall be placed in the foregoing salary schedule for more than the fifth year of accepted and approved experience in salary class 1, group A or group C; salary class 2, group A or group C; salary class 3, group A or group C; salary class 4, group A or group C; salary class 5, group A or group C; salary class 6, group A or group C; salary class 7, group A or group C; and salary class 8, group A or group C, or for more than the fourth year of accepted and approved experience in salary class 32, salary class 33, and salary class 34 in the foregoing schedule. This paragraph shall not be construed to increase the allowance for longevity increases for placement of any probationary or permanent teacher or other probationary or permanent employee in the service of the Board of Education on June 30, 1947.

Teachers, etc., appointed after effective date of this Act.  
Placement; longevity increases.

Teachers of vocational subjects.

Service in armed forces.  
Experience credit.

(aq) No provision in this Act shall be interpreted as preventing any teacher, school officer, or other employee of the Board of Education who has been granted leave to enter the armed forces of the United States or its allies from receiving any annual longevity increase or increases to which he otherwise would be entitled when he returns to service in the public schools.

Service in armed forces.  
Longevity increases, etc.

#### TITLE IV—METHOD OF PROMOTION OF EMPLOYEES

SEC. 7. On July 1, 1948, and on the first day of each fiscal year thereafter, if his work is satisfactory, every permanent teacher, school officer, or other employee except as provided in Section 2 of this Act, shall receive an annual increase in salary within his salary class or position as hereinbefore provided without action of the Board of Education, except that after a teacher, school officer, or other employee has received five annual increases he shall receive no further increases until he is declared eligible therefor by the Board of Education on the basis of such evidence of successful teaching in the case of a teacher or outstanding service in the case of a school officer or other

Annual salary increases.

*Ante*, p. 252.

In-service training program.

Promotions to higher salary class or position.  
Salary.

Teachers, instructors, librarians, and research assistants.  
Assignment; promotion.

employee and of increased professional attainments as the Board of Education may prescribe, and that after having been declared so eligible and after having received five more annual increases, he shall receive no further increases until he is declared eligible therefor by the Board of Education on the basis of such evidence of successful teaching in the case of a teacher or outstanding service in the case of a school officer or other employee and of increased professional attainments as the Board of Education may prescribe. A program of in-service training under regulations to be formulated by the Board of Education shall be established to promote continuous professional growth among the teachers, school officers, and other employees, and such teachers, school officers, and other employees shall annually report evidence of participation in the in-service training program thus established and other evidence of professional growth and accomplishment.

SEC. 8. On and after July 1, 1947, teachers, school officers, and other employees promoted from a lower to a higher salary class or position shall receive a salary in the salary class or position to which promoted which is next above the salary in the salary class or position from which promoted.

SEC. 9. Within the limitations of section 2 of this Act, every teacher, instructor, librarian, and research assistant in the service on July 1, 1947, and every teacher, school officer, or other employee thereafter appointed shall, if the class to which he is assigned be divided into group A and group C, be assigned according to eligibility either to group A or group C, and shall be promoted to group C in salary classes 1, 2, 3, 4, 5, 6, 7 and 8 on the basis of documentary evidence establishing the attainment of a recognized master's degree.

#### TITLE V—ACCOMPANYING LEGISLATION

Elementary schools.  
Classification of principals.

First Assistant Superintendents of Schools.

Boards of examiners.  
Membership.

Chief examiners.

SEC. 10. For the purpose of determining the classification of principals in the elementary schools, it shall be the duty of the Board of Education, on the recommendation of the Superintendent of Schools, to designate the number of rooms in each elementary school building or approved combination of elementary school buildings.

SEC. 11. There shall be two First Assistant Superintendents of Schools, one white First Assistant Superintendent for the white schools who, under the direction of the Superintendent of Schools, shall have general supervision over the white schools; and one colored First Assistant Superintendent for the colored schools who, under the direction of the Superintendent of Schools, shall have sole charge of all employees, classes, and schools in which colored children are taught. The First Assistant Superintendents shall perform such other duties as may be prescribed by the Superintendent of Schools.

SEC. 12. Boards of examiners for carrying out the provisions of the statutes with reference to examinations of teachers shall consist of the Superintendent of Schools and not less than four nor more than six members of the supervisory or teaching staff of the white schools for the white schools, and of the Superintendent of Schools and not less than four nor more than six members of the supervisory or teaching staff of the colored schools for the colored schools. The designations of members of the supervisory or teaching staff for membership on these boards shall be made annually by the Board of Education on the recommendation of the Superintendent of Schools.

SEC. 13. There shall be appointed by the Board of Education, on the recommendation of the Superintendent of Schools, a chief examiner for the board of examiners for white schools. An Associate Superintendent in the colored schools shall be designated by the Superintendent of Schools as chief examiner for the board of examiners for

the colored schools. All members of the respective boards of examiners shall serve without additional compensation.

SEC. 14. The Board of Education, on recommendation of the Superintendent of Schools, is hereby authorized to appoint annual substitute teachers, who shall qualify for said positions by meeting such eligibility requirements as the said board may prescribe and who shall be assigned to the lowest class to which eligible for the type of work to be performed, and who shall be entitled to salary placement credit as provided in paragraph (ap) of section 6 of this Act, but who shall not be entitled to annual increases of said class. The said board shall prescribe the amount to be deducted from the salary of any absent teacher for whom an annual substitute may perform service. The above authorization for the appointment of annual substitute teachers shall not be construed to prevent the Board of Education from the employment of other substitute teachers under regulations to be prescribed by the said board.

SEC. 15. When necessary, the Board of Education, on written recommendation of the Superintendent of Schools, is authorized and empowered to appoint temporary teachers: *Provided*, That such appointments shall be made for a limited period not to extend beyond June 30 of the fiscal year in which the appointments are made, and the Board of Education is authorized to terminate the services of any temporary teachers at any time, on the written recommendation of the Superintendent of Schools: *And provided further*, That all temporary teachers shall receive the basic salary of the class in which service is to be performed plus salary placement credit provided in paragraph (ap) of section 6 of this Act, but shall not be entitled to annual increases of said class.

SEC. 16. The Board of Education is hereby authorized to conduct as parts of the public-school system, a department of school attendance and work permits, evening schools, vacation schools, Americanization schools, and other activities, under and within appropriations made by Congress, and on the written recommendation of the Superintendent of Schools to fix and prescribe the salaries, other than those herein specified, to be paid to the employees of the said departments and activities.

SEC. 17. All employees assigned to salary classes 1 to 12, inclusive, and all attendance officers assigned to salary class 32 in the foregoing schedule, shall be classified as teachers for pay-roll purposes and their annual salaries shall be paid in ten monthly installments in accordance with existing law.

SEC. 18. Attendance officers in the department of school attendance and work permits assigned to class 32 in the foregoing schedule shall be entitled, in accordance with regulations made by the Board of Education, to cumulative leave with pay because of personal illness, the presence of contagious disease, death in the home, or pressing emergency, at the rate of ten days per calendar year, the total accumulation not to exceed sixty days; and in the event of any further absence of any attendance officer the Board of Education, on written recommendation of the Superintendent, is hereby authorized to appoint a substitute who shall be paid at a rate fixed by the said Board and the amount paid to such substitute shall be deducted from the salary of the absent attendance officer. Such attendance officers shall not be entitled to annual or sick leave under any other law.

SEC. 19. The rates of salaries herein designated shall become effective on July 1, 1947. The estimates of the expenditures for the operation of the public-school system of the District of Columbia shall hereafter be prepared in conformity with the classification and compensation of employees herein provided. During the fiscal year ending June 30, 1948, no teacher, school officer, or other employee of

Annual substitute teachers.

*Ante*, p. 257.

Pay deduction from salary of absent teacher.

Other substitute teachers.

Temporary teachers.

Service limitation.

Salary.

Evening schools and other activities.

Salaries of employees.

Employees classified as teachers for pay-roll purposes.

Attendance officers. Cumulative leave with pay.

Substitute. Appointment; pay.

Rates effective July 1, 1947. Preparation of future estimates.

Salary increases during fiscal year ending June 30, 1948.



the Board of Education whose salary is included in the foregoing schedule shall receive any increase in compensation other than as provided in this Act.

Repeal.

59 Stat. 488.  
D. C. Code, Supp. V,  
§§ 31-638 to 31-658.

SEC. 20. The District of Columbia Teachers Salary Act of 1945, approved July 21, 1945, as amended, is hereby repealed.

54 Stat. 349.  
D. C. Code §§ 31-  
632 to 31-637.

SEC. 21. (a) After the effective date of this Act, the Act entitled "An Act to provide educational employees of the public schools of the District of Columbia with leave of absence, with part pay, for purposes of educational improvement, and for other purposes", approved June 12, 1940, shall apply to employees of the Board of Education whose salaries are fixed by this Act.

60 Stat. 875.  
Post, p. 750.

(b) After the effective date of this Act, the Act entitled "An Act for the retirement of the public-school teachers in the District of Columbia", approved August 7, 1946, shall apply to employees of the Board of Education whose salaries are fixed by this Act, and all references in said Act to the District of Columbia Teachers' Salary Act of 1945, as amended, shall be interpreted to apply to this Act. Nothing in this subsection shall require the recomputation of the annuity of any person retired under the Act of August 7, 1946, prior to the effective date of this Act, or of any person retired prior to the effective date of the Act of August 7, 1946, whose annuity is computed in accordance with the provisions of that Act.

*Supra.*

Short title.

SEC. 22. This Act may be cited as "District of Columbia Teachers' Salary Act of 1947".

Effective date.

SEC. 23. This Act shall become effective on July 1, 1947.

Approved July 7, 1947.

[CHAPTER 209]

JOINT RESOLUTION

July 8, 1947  
[S. J. Res. 124]  
[Public Law 164]

To enable the President to utilize the appropriations for United States participation in the work of the United Nations Relief and Rehabilitation Administration for meeting administrative expenses of United States Government agencies in connection with United Nations Relief and Rehabilitation Administration liquidation.

UNRRA.  
Liquidation of ac-  
tivities.

Appropriation au-  
thorized.  
Post, p. 614.

60 Stat. 603.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to provide necessary administrative expenses for executive departments, agencies, and independent establishments of the United States Government incident to the liquidation of activities undertaken prior to June 30, 1947, in connection with participation of the United States in the work of the United Nations Relief and Rehabilitation Administration, there is hereby authorized to be appropriated not to exceed \$2,370,000 of the unobligated balance as of June 30, 1947, of the appropriation "United Nations Relief and Rehabilitation Administration" provided under the Third Deficiency Appropriation Act, 1946.

Approved July 8, 1947.

[CHAPTER 210]

AN ACT

July 8, 1947  
[H. R. 2700]  
[Public Law 165]

Making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1948, and for other purposes.

Labor-Federal Se-  
curity Appropriation  
Act, 1948.  
Ante, pp. 118, 187, 188,  
245; post, pp. 361, 608,  
609, 621, 622, 700.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1948, namely:

## TITLE I—DEPARTMENT OF LABOR

## OFFICE OF THE SECRETARY

Salaries: For personal services in the District of Columbia, \$843,200.

Salaries and expenses, Office of the Solicitor: For personal services in the District of Columbia and other necessary expenses in the field, including contract stenographic reporting services, as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), \$808,000.

Contingent expenses: For necessary expenses of the offices and bureaus of the Department, for which appropriations are not specifically made, including purchase of two passenger motor vehicles (including one at not to exceed \$3,000); transfer of funds to United States Public Health Service for costs of health service program as authorized by Act of August 8, 1946 (Public Law 658); commercial and labor-reporting services; when authorized by the Secretary of Labor, dues for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members, not exceeding \$400; newspapers, press clippings, and teletype news service not to exceed \$7,300; and contract stenographic reporting services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); \$468,400, of which \$1,000 is for payment of claims pursuant to part 2 of the Federal Tort Claims Act.

Traveling expenses: For traveling expenses for the Department, \$2,188,300.

Printing and binding: For printing and binding for the Department, \$489,700.

Department of Labor Appropriation Act, 1948.

*Ante*, pp. 118, 187, 188, 245; *post*, pp. 361, 608, 609, 621, 622, 700.

*Post*, p. 700.

*Post*, p. 621.

60 Stat. 810.  
5 U. S. C. § 55a.

*Post*, p. 621.

60 Stat. 903.  
5 U. S. C. § 150.

*Supra*.

60 Stat. 843.  
28 U. S. C. §§ 921, 922.

*Post*, p. 622.

*Post*, pp. 621, 700.

## PENALTY MAIL COSTS, DEPARTMENT OF LABOR

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail of the Department as required by the Act of June 28, 1944 (Public Law 364), \$119,700.

Salaries and expenses, Division of Labor Standards: For necessary expenses, including personal services in the District of Columbia and purchase and distribution of reports, and of material for informational exhibits, in connection with the promotion of health, safety, employment stabilization, and amicable industrial relations for labor and industry, \$200,000.

The appropriation under this title for traveling expenses shall be available for expenses of attendance of cooperating officials and consultants at conferences concerned with the work of the Division of Labor Standards when called by the Division with the written approval of the Secretary of Labor, and shall be available also in an amount not to exceed \$2,000 for expenses of attendance at meetings related to the work of the Division of Labor Standards when incurred on the written authority of the Secretary of Labor.

Commissioners of Conciliation: For expenses necessary to enable the Secretary of Labor to exercise the authority vested in him by section 8 of the Act creating the Department of Labor (5 U. S. C. 611), and not to exceed \$1 for personal services in the District of Columbia, \$1.

The appropriation in this title for traveling expenses shall be available in an amount not to exceed \$2,000 for expenses of attendance at meetings, conferences, or conventions concerned with labor and industrial relations when incurred on the written authority of the Secretary of Labor.

*Post*, pp. 621, 700.

58 Stat. 394.  
39 U. S. C. §§ 321e-321h.

Attendance at conferences.

37 Stat. 738.  
5 U. S. C. § 619.

Attendance at meetings.

## APPRENTICE TRAINING SERVICE

50 Stat. 684.

Apprentice Training Service: For expenses necessary to enable the Secretary of Labor to conduct a program of encouraging apprentice training, as authorized by the Act of August 16, 1937 (29 U. S. C. 50), including personal services in the District of Columbia, \$2,107,800.

## BUREAU OF LABOR STATISTICS

Post, p. 700.

Temporary services.

60 Stat. 810.  
5 U. S. C. § 55a.

Salaries and expenses: For necessary expenses, including not to exceed \$5,500 for purchase of newspaper clipping services; reimbursement to State, Federal, and local agencies and their employees for services rendered; and not to exceed \$15,000 for temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); \$3,373,400, of which amount not to exceed \$2,202,700 may be expended for personal services in the District of Columbia and not to exceed \$845,000 for a cost-of-living study and report.

Attendance at meetings.

The appropriation in this title for traveling expenses shall be available, in an amount not to exceed \$2,000, for expenses of attendance at meetings concerned with the work of the Bureau of Labor Statistics when incurred on the written authority of the Secretary of Labor.

## UNITED STATES EMPLOYMENT SERVICE

Post, p. 621.

Supra.

58 Stat. 293.  
38 U. S. C. §§ 695-695f.  
Ante, p. 32.

Attendance at meetings.

General administration: For expenses necessary for the general administration of the United States Employment Service, including one Director at not to exceed \$10,000 per annum and other personal services in the District of Columbia and contract stenographic reporting services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), \$3,500,000, of which \$1,756,800 shall be for carrying into effect the provisions of title IV (except section 602) of the Servicemen's Readjustment Act of 1944: *Provided*, That the appropriation in this title for traveling expenses shall be available, in an amount not to exceed \$2,000, for expenses of attendance at meetings of organizations concerned with the work of the United States Employment Service when incurred on the written authority of the Secretary of Labor.

## GRANTS TO STATES FOR PUBLIC EMPLOYMENT OFFICES

Post, p. 621.

48 Stat. 113.

58 Stat. 294.  
38 U. S. C. § 695b.

Supra.

Infra.

48 Stat. 114, 115.  
29 U. S. C. §§ 49d(a), 49e.

For grants to the several States (including Alaska and Hawaii), in accordance with the provisions of the Act of June 6, 1933, as amended (29 U. S. C. 49-49i), and for carrying into effect section 602 of the Servicemen's Readjustment Act of 1944, including, upon the request of any State, the payment of rental for space made available to such State in lieu of grants for such purpose, \$57,382,400, of which not to exceed \$757,000 shall be available to the United States Employment Service for necessary expenses in connection with the operation of employment office facilities and services in the District of Columbia and for use in carrying into effect section 602 of the Servicemen's Readjustment Act in Puerto Rico: *Provided*, That no State shall be required to make any appropriation as provided in section 5 (a) of said Act of June 6, 1933, prior to July 1, 1949: *Provided further*, That notwithstanding the provisions of section 5 (a) and section 6 of the Act of June 6, 1933, the Secretary of Labor shall from time to time certify to the Secretary of the Treasury for payment to each State found to be in compliance with the requirements of the Act of June 6, 1933, such amounts as he determines to be necessary for the proper and efficient administration of its public employment offices.

In carrying out the provisions of said Act of June 6, 1933, the Secretary shall assure that each State agency operates under such methods of administration relating to the establishment and maintenance of personnel standards on a merit basis, as are found by the Secretary to be necessary to carry out the purposes of said Act; such methods and the methods required pursuant to section 303 (a) (1) of the Social Security Act, as amended, shall be promulgated jointly by the Secretary and the Federal Security Administrator and both such methods shall be administered in a manner which assures consistency in their application.

Whenever funds are paid to the same State agency under this heading and title III of the Social Security Act, as amended, (1) such State agency may, if it so elects, submit to the Secretary and the Federal Security Administrator a joint budget covering both the functions for which grants are made under this heading and the functions for which grants are made under such title III; in such a case, the Secretary of Labor shall, if the State agency so elects, certify to the Federal Security Agency the amounts to be paid to the State under this heading and upon receipt of such certification, the Federal Security Agency shall certify such amounts to the Secretary of the Treasury, in addition to the amount, if any, payable by said Agency under the provisions of section 302 (a) of the Social Security Act, as amended. Any additional amounts so certified by the Federal Security Agency shall be paid to the State by the Secretary of the Treasury out of the appropriation herein made available; and (2) the State agency may commingle such funds and account therefor by such accounting, statistical, sampling, or other methods as may be found by the Secretary of Labor and the Federal Security Administrator, respectively, to afford reasonable assurance that the funds paid to the State agency under this heading and the funds paid to the State agency under title III of the Social Security Act, as amended, are expended for the respective purposes of this heading and of such title III.

#### WOMEN'S BUREAU

Salaries and expenses: For carrying out the Act to establish in the Department of Labor a bureau to be known as the Women's Bureau, approved June 5, 1920 (29 U. S. C. 11-16), including personal services in the District of Columbia; purchase of material for reports and educational exhibits; \$263,000.

The appropriation in this title for traveling expenses shall be available in an amount not to exceed \$2,500 for expenses of attendance at meetings concerned with the work of the Women's Bureau when incurred on the written authority of the Secretary of Labor.

#### WAGE AND HOUR DIVISION

Salaries: For personal services for the Wage and Hour Division necessary in performing the duties imposed by the Fair Labor Standards Act of 1938 and by the Act to provide conditions for the purchase of supplies and the making of contracts by the United States, approved June 30, 1936 (41 U. S. C. 38), and the functions under the Fair Labor Standards Act transferred under and pursuant to Reorganization Plan Numbered 2 of 1946, \$3,798,000, of which amount not to exceed \$746,100 may be expended for departmental salaries.

Miscellaneous expenses (other than salaries): For necessary expenses, other than salaries, of the Wage and Hour Division in performing the duties imposed by the Fair Labor Standards Act of 1938 and by the Act to provide conditions for the purchase of supplies

Methods of administration.  
48 Stat. 113.  
29 U. S. C. §§ 49-49i.

49 Stat. 626.  
42 U. S. C. § 503 (a) (1).

Joint budget.  
49 Stat. 626.  
42 U. S. C. §§ 501-503.

Certification of amounts.

46 Stat. 626.  
42 U. S. C. § 502 (a).

49 Stat. 626.  
42 U. S. C. §§ 501-503.

41 Stat. 987.

Attendance at meetings.

Post, p. 621.  
52 Stat. 1060.  
29 U. S. C. §§ 201-219.  
Ante, p. 87.

49 Stat. 2036.  
41 U. S. C. §§ 35-45.

60 Stat. 1005.  
5 U. S. C. § 133y-16 note.

Post, p. 621.

Supra.

49 Stat. 2038.  
 52 Stat. 1060.  
 29 U. S. C. §§ 201-219.  
*Ante*, p. 87.  
 60 Stat. 1095.  
 5 U. S. C. § 133y-16 note.  
 60 Stat. 810.  
 5 U. S. C. § 55a.  
 Attendance at conferences.

and the making of contracts by the United States, approved June 30, 1936 (41 U. S. C. 38), and the functions under the Fair Labor Standards Act transferred under and pursuant to Reorganization Plan Numbered 2 of 1946, including stenographic reporting services by contract as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), and reimbursement to State, Federal, and local agencies and their employees for services rendered, \$309,000.

The appropriation in this title for traveling expenses shall be available for expenses of attendance of cooperating officials and consultants at conferences concerned with the work of the Wage and Hour Division when called by the Division with the written approval of the Secretary of Labor, and shall be available in an amount not to exceed \$5,250 for expenses of attendance at meetings concerned with the work of the Wage and Hour Division when incurred on the written authority of the Secretary of Labor.

Transfer of funds.

In order that the Secretary may effectuate necessary reorganizations within the Department and field, he may transfer to the appropriations under this title from funds appropriated, other than grants to States for public employment offices, such sums as necessary, but not to exceed 2 per centum of the total funds appropriated: *Provided*, That such transfer or transfers shall not be used for the purpose of creating new functions within the Department, or for the continuation of any function which the Congress in its final report recommends be discontinued: *Provided further*, That no appropriation item shall be reduced more than 5 per centum by such transfer.

Citation of title.

This title may be cited as the "Department of Labor Appropriation Act, 1948".

Federal Security Agency Appropriation Act, 1948.  
*Ante*, pp. 118, 184, 187, 188, 245; *post*, pp. 361, 437, 615, 942.

41 Stat. 272.

## TITLE II—FEDERAL SECURITY AGENCY

### AMERICAN PRINTING HOUSE FOR THE BLIND

Education of the blind: For carrying out the Act of August 4, 1919, as amended (20 U. S. C. 101), \$115,000.

### BUREAU OF EMPLOYEES' COMPENSATION

60 Stat. 810.  
 5 U. S. C. § 55a.

41 U. S. C. § 5.

Salaries and expenses: For necessary administrative expenses, including personal services in the District of Columbia; temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), but, in the case of stenographic reporting services on a fee basis, without regard to the limitation on rates in such section and, in the case of other services, at rates not in excess of \$35 per diem for individuals; purchase of five passenger motor vehicles; and not to exceed \$41,000 for the Employees' Compensation Board of Appeals; \$1,316,200: *Provided*, That section 3709, Revised Statutes, as amended, shall not apply to any purchase or service outside continental United States when the aggregate amount involved does not exceed \$500.

Rehabilitation expenses.

Medical services, etc.

Employees' compensation fund: For the payment of compensation and other benefits and expenses (except administrative expenses) authorized by law and accruing during the current or any prior fiscal year, including payments to other Federal agencies for medical and hospital services pursuant to agreement approved by the Bureau of Employees' Compensation; the advancement of costs for enforcement of recoveries in third-party cases; rehabilitation expenses, including fees or other payments to other agencies of the United States and public or private agencies, including individuals, for services or facilities rendered or furnished pursuant to agreement approved by the Bureau; the furnishing of medical and hospital services and supplies, treatment, and funeral and burial expenses, including transportation and other expenses incidental to such services, treatment,

and burial, for such enrollees of the Civilian Conservation Corps as were certified by the Director of such Corps as receiving hospital services and treatment at Government expense on June 30, 1943, and who are not otherwise entitled thereto as civilian employees of the United States, and the limitations and authority of the Act of September 7, 1916, as amended (5 U. S. C. 796), shall apply in providing such services, treatment, and expenses in such cases; \$10,250,000.

39 Stat. 742.  
5 U. S. C. §§ 751-791,  
793.

#### COLUMBIA INSTITUTION FOR THE DEAF

Salaries and expenses: For the partial support of Columbia Institution for the Deaf, including personal services and miscellaneous expenses, purchase of one passenger bus, and repairs and improvements, \$259,500.

#### FOOD AND DRUG ADMINISTRATION

Salaries and expenses: For necessary expenses (not appropriated for elsewhere) in carrying out the Federal Food, Drug, and Cosmetic Act, as amended (21 U. S. C. 301-392); the Tea Importation Act, as amended (21 U. S. C. 41-50); the Import Milk Act (21 U. S. C. 141-149); the Federal Caustic Poison Act (15 U. S. C. 401-411); and the Filled Milk Act, as amended (21 U. S. C. 61-64); including personal services in the District of Columbia; reporting and illustrating the results of investigations; purchase of sixty passenger motor vehicles; temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), but, in the case of stenographic reporting services on a fee basis, without regard to the limitation on rates and, in the case of other services, at rates not in excess of \$35 per diem for individuals; \$4,000,000.

52 Stat. 1040.  
*Ante*, p. 11.

29 Stat. 604.  
44 Stat. 1101.  
44 Stat. 1409.  
42 Stat. 1486.

60 Stat. 810.  
5 U. S. C. § 55a.

Certification services: To provide for the certification of certain products as required by the Federal Food, Drug, and Cosmetic Act, as amended, including personal services in the District of Columbia; purchase of eight passenger motor vehicles; travel expenses; printing and binding; purchase of reprints and temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), but, in the case of stenographic reporting services on a fee basis, without regard to the limitation on rates and, in the case of other services, at rates not in excess of \$35 per diem for individuals; \$431,000: *Provided*, That expenditures hereunder shall not exceed the aggregate of fees covered into the Treasury under said Act.

*Post*, p. 615.  
*Supra*.

*Supra*.

#### FREEDMEN'S HOSPITAL

*Post*, p. 437.

Salaries and expenses: For expenses necessary for operation and maintenance, including repairs; travel; printing and binding; furnishing, repairing, and cleaning of wearing apparel used by employees in the performance of their official duties; transfer of funds to the appropriation "Salaries and expenses, Howard University" for salaries of technical and professional personnel detailed to the hospital; payments to the appropriations of Howard University for instruction of nurses and actual cost of heat, light, and power furnished by such university; a health service program for employees as authorized by the Act of August 8, 1946 (Public Law 658); expenses of attendance at meetings of organizations concerned with hospital administration and medical advancement, when authorized by the Federal Security Administrator; \$2,192,000: *Provided*, That hereafter the amounts to be charged the District of Columbia and other establishments of the Government for the treatment of patients for which they are responsible shall be calculated on the basis of a per diem rate approved by the Bureau of the Budget: *Provided further*, That no intern or resident

60 Stat. 903.  
5 U. S. C. § 150.

Amounts charge-  
able to D. C., etc.

Salary restriction.

physician receiving compensation from this appropriation on a full-time basis shall receive compensation in the form of wages or salary from any other appropriation in this Act.

#### HOWARD UNIVERSITY

*Post*, p. 615.

**Salaries and expenses:** For the partial support of Howard University, including personal services and miscellaneous expenses and repairs to buildings and grounds, \$1,864,400.

**Plans and specifications:** For the preparation of plans and specifications for construction, under the supervision of the Public Buildings Administration, on the grounds of Howard University of men's dormitory units, a law school building, administration building, biology building, and greenhouse, and for alterations to science hall, including engineering and architectural services, printing and binding, and travel, \$220,000, which amount, except such part as may be necessary for the incidental expenses of the university, may be transferred to the Public Buildings Administration, Federal Works Agency, for the above purposes, to remain available until expended.

**Construction of buildings:** For beginning construction, on the grounds of Howard University, under the supervision of the Public Buildings Administration, of a dental school building, an auditorium building with facilities for the school of music and the teaching of fine arts, together with alterations and installations in connection with this construction, including engineering and architectural services, printing, and travel, to remain available until expended, \$2,022,080, which amount, except such part as may be necessary for the incidental expenses of the university, may be transferred to the Public Buildings Administration, Federal Works Agency, for the above purposes, and the university is authorized to contract for the completion of said construction at a total cost of not to exceed \$4,109,755.

#### OFFICE OF EDUCATION

60 Stat. 775.  
20 U. S. C. § 15j.

**Further development of vocational education:** For carrying out section 3 of the Vocational Educational Act of 1946 (Public Law 586), \$17,750,000: *Provided*, That the apportionment to the States shall be computed on the basis of not to exceed \$19,842,759.97 for the fiscal year 1948, as authorized.

43 Stat. 18.

**Promotion of vocational education in Hawaii:** For carrying out section 4 of the Act of March 10, 1924 (20 U. S. C. 29), \$30,000.

46 Stat. 1489.

**Promotion of vocational education in Puerto Rico:** For carrying out section 1 of the Act of March 3, 1931 (20 U. S. C. 30), \$105,000.

49 Stat. 439.

**Further endowment of colleges of agriculture and the mechanic arts:** For carrying out section 22 of the Act of June 29, 1935 (7 U. S. C. 343d), \$2,480,000.

60 Stat. 810.  
5 U. S. C. § 55a.

**Salaries and expenses:** For expenses necessary for the Office of Education, including surveys, studies, investigations, and reports regarding libraries; fostering coordination of public and school library service; coordination of library service on the national level with other forms of adult education; developing library participation in Federal projects; fostering Nation-wide coordination of research materials among libraries, interstate library coordination and the development of library service throughout the country; personal services in the District of Columbia; contract stenographic reporting services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), but, when contracted for on a fee basis, without regard to the limitation on rates in such section; purchase, distribution, and exchange of educational documents, motion-picture films, and lantern slides; collection, exchange, and cataloging of educational apparatus and

appliances, articles of school furniture and models of school buildings illustrative of foreign and domestic systems and methods of education, and repairing the same; and a health service program as authorized by the Act of August 8, 1946 (Public Law 658); \$1,633,900, of which not less than \$434,400 shall be available for the Division of Vocational Education as authorized.

60 Stat. 903.  
5 U. S. C. § 150.

#### OFFICE OF VOCATIONAL REHABILITATION

For payments to States (including Alaska, Hawaii, and Puerto Rico) in accordance with the Vocational Rehabilitation Act, as amended (29 U. S. C. ch. 4), including payments, in accordance with regulations of the Administrator, for one-half of necessary expenditures for the acquisition of vending stands or other equipment in accordance with section 3 (a) (3) (C) of said Act for the use of blind persons, such stands or other equipment to be controlled by the State agency, \$18,000,000, of which not to exceed \$200,000 shall be available to the Federal Security Administrator for providing rehabilitation services to disabled residents of the District of Columbia, as authorized by section 6 of said Act, which latter amount shall be available for administrative expenses in connection with providing such services in the District of Columbia, including printing and binding, and travel: *Provided*, That not to exceed 15 per centum of the appropriation shall be used for administrative purposes: *And provided further*, That section 3709 of the Revised Statutes, as amended, shall not apply to any purchase made or service rendered when the aggregate amount involved does not exceed \$400.

*Ante*, p. 184.  
41 Stat. 735.  
29 U. S. C. §§ 31-41.

57 Stat. 376.  
29 U. S. C. § 33 (a)  
(3) (C).

57 Stat. 378.  
29 U. S. C. § 36.

41 U. S. C. § 5.

For general administrative expenses in carrying out the provisions of the Vocational Rehabilitation Act, as amended, and of the Act approved June 20, 1936 (20 U. S. C., ch. 6A), including personal services in the District of Columbia; temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), but in the case of stenographic reporting services on a fee basis without regard to the limitation on rates in such section, and, in the case of all other services, at rates not in excess of \$35 per diem for individuals; purchase of reprints; purchase of one passenger motor vehicle; exchange of books; and not to exceed \$7,500 for production, purchase, and distribution of educational films; \$550,000.

*Supra*.  
49 Stat. 1659.  
20 U. S. C. §§ 107-  
107f.  
60 Stat. 810.  
5 U. S. C. § 55a.

#### PUBLIC HEALTH SERVICE

For necessary expenses in carrying out the Public Health Service Act, as amended (42 U. S. C. ch. 6A) (hereinafter referred to as the Act), and other Acts, including (with the exception of the appropriation "Pay, and so forth, commissioned officers, Public Health Service") personal services in the District of Columbia; purchase of reports, documents, and other material for publication and of reprints; temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), but, in the case of stenographic reporting services on a fee basis without regard to the limitation on rates in such section and, in the case of all other services, at rates not in excess of \$35 per diem for individuals; preparation and display of posters and exhibits by contract or otherwise; packing, unpacking, crating, uncrating, drayage, and transportation of personal effects of commissioned officers and transportation of their dependents on change of station; increased allowances to Reserve officers for foreign service; furnishing, repairing, and cleaning of wearing apparel prescribed by the Surgeon General for use by employees in the performance of their official duties; and transporting in Government-owned automotive equipment, to and from

58 Stat. 682.  
42 U. S. C. §§ 201-  
291m.  
*Post*, pp. 449, 451,  
452, 454.

*Supra*.



school, children of personnel who have quarters for themselves and their families at isolated stations; as follows:

58 Stat. 693, 704.  
42 U. S. C. §§ 246 (a),  
266,  
Post, p. 452.

41 U. S. C. § 5.

**Venereal diseases:** To carry out the purposes of sections 314 (a) and 363 of the Act with respect to venereal diseases, including the operation and maintenance of centers for the diagnosis, treatment, support, and clothing of persons afflicted with venereal diseases; transportation and subsistence of such persons and their attendants to and from the place of treatment or allowance in lieu thereof; diagnosis and treatment (including emergency treatment for other illnesses) of such persons through contracts with physicians and hospitals and other appropriate institutions without regard to section 3709 of the Revised Statutes, as amended; fees for case finding and referral to such centers of voluntary patients; reasonable expenses of preparing remains or burial of deceased patients; recreational supplies and equipment; leasing of facilities and repair and alteration of leased facilities; the purchase of twenty-eight passenger motor vehicles, and for grants of money, services, supplies, equipment, and use of facilities to States, as defined in the Act, and with the approval of the respective State health authorities, to counties, health districts, and other political subdivisions of the States, for the foregoing purposes, in such amounts and upon such terms and conditions as the Surgeon General may determine; \$17,399,500, of which \$516,500 shall be immediately available.

58 Stat. 693.  
42 U. S. C. § 246 (b).

**Tuberculosis:** To carry out the purposes of section 314 (b) of the Act, \$8,000,000.

58 Stat. 694.  
42 U. S. C. § 246 (c).

58 Stat. 693, 691.  
42 U. S. C. §§ 243,  
241.

*Supra.*

**Assistance to States, general:** To carry out the purposes of section 314 (c) of the Act; to provide consultative services to States pursuant to section 311 of the Act; and to make field investigations and demonstrations pursuant to section 301 of the Act, including the purchase of forty-three passenger motor vehicles, \$15,682,300: *Provided*, That of the amount available for carrying out the purposes of section 314 (c) of the Act, \$3,000,000 shall be available solely for grants to States having approved plans for mental health activities.

58 Stat. 693, 703.  
42 U. S. C. §§ 243,  
264.

**Communicable diseases:** To carry out those provisions of sections 311, 361, and 704 of the Act relating to the prevention and suppression of communicable diseases, the interstate transmission and spread thereof, and the enforcement of any applicable quarantine laws, including the purchase of thirty-five passenger motor vehicles; and hire, maintenance, and operation of aircraft; \$7,500,000.

60 Stat. 1041.  
42 U. S. C. §§ 291-  
291m.

**Hospital and construction activities:** For administrative expenses incident to carrying out title VI of the Public Health Service Act, as amended (Public Law 725, 79th Cong.), \$865,000, including printing and binding; purchase of eight passenger motor vehicles; and travel, including attendance at meetings of organizations concerned with the purposes of this appropriation. There shall be allotted to the several States for the fiscal year 1948, as provided in such Act, a sum not exceeding \$75,000,000, a part of the sum authorized to be appropriated for the fiscal year 1948 by part C of the Act. Whenever the Surgeon General shall have approved an application for a construction project in accordance with section 625 of the Act, the Federal share of the cost of such project, as provided by the Act, shall constitute a contractual obligation of the Federal Government: *Provided*, That the aggregate contractual obligation during the fiscal year 1948 shall not exceed \$75,000,000.

60 Stat. 1042.  
42 U. S. C. §§ 291d-  
291h.

60 Stat. 1045.  
42 U. S. C. § 291h.

**Hospitals and medical care:** For carrying out the purposes of sections 321, 322, 324, 326, 331, 332, 502, and 710 of the Act, including minor repairs to and maintenance of buildings; purchase of twenty-four passenger motor vehicles, including four ambulances; transportation to their homes in the continental United States of recovered

58 Stat. 695-714.  
42 U. S. C. §§ 248,  
249, 251, 253, 255, 256,  
220.

indigent leper patients; court costs and other expenses incident to proceedings for commitment of mentally incompetent persons to hospitals for the care and treatment of the insane; expenses of preparing and transporting remains, or reasonable burial expenses, for any patient dying in a hospital; travel; purchase and exchange of farm products and livestock; and reimbursement to employees, subject to regulations of the Federal Security Administrator, for the cost of repair or replacement of personal belongings damaged or destroyed by patients while such employees were engaged in the performance of their official duties; \$20,000,000, of which not to exceed \$501,519 may be transferred to the appropriation "Commissioned officers, pay, and so forth".

**Mental health activities:** For expenses necessary for carrying out the provisions of sections 301, 302, 312, and 321 with respect to mental diseases, sections 322, 324, 326, 504, and 710 with respect to treatment at the Public Health Service Hospitals, Fort Worth, Texas, and Lexington, Kentucky, of persons suffering from psychiatric disorders, and sections 303, 341, 343, and 344 of the Act, and Executive Order 9079, dated February 26, 1942, including minor repairs to and maintenance of buildings; purchase of one passenger motor vehicle; court costs and other expenses incident to proceedings taken for commitment of mentally incompetent persons to hospitals; expenses of preparing and transporting remains, or reasonable burial expenses, for any patient dying in a hospital; firearms and ammunition; travel; printing and binding; reimbursement to the working capital fund for articles or services furnished by the industrial activities; expenses incurred in pursuing, identifying, and returning escaped prisoners, including rewards for their capture; transportation and subsistence allowance, within continental United States, of any narcotic addict voluntarily admitted and discharged as cured; reimbursement to employees, subject to regulations of the Federal Security Administrator, for the cost of repair or replacement of personal belongings damaged or destroyed by patients while such employees were engaged in the performance of their official duties; tobacco for patients; \$4,250,000, of which not to exceed \$99,500 may be transferred to the appropriation "Commissioned officers, pay, and so forth": *Provided*, That as of June 30, 1947, and the end of each fiscal year thereafter any balances in the "Working capital fund, narcotic hospitals," in excess of \$150,000 shall be transferred to the surplus fund of the Treasury.

**Foreign quarantine service:** For the medical inspection of aliens, the maintenance and ordinary expenses of United States quarantine stations and supplementary activities abroad, and the care and treatment of quarantine detainees in private or other public hospitals when facilities of the Public Health Service are not available, including the purchase of eighteen passenger motor vehicles, \$2,450,000.

**Employee health service programs:** For carrying out the functions of the Public Health Service under the Act of August 8, 1946 (Public Law 658), including travel and purchase of one passenger motor vehicle, \$300,000, of which not to exceed \$30,583 may be used for a health service program for Public Health Service employees: *Provided*, That when the Public Health Service, at the request of any department or agency of the Government, establishes or operates a health service program for such department or agency such amount as may be necessary may be consolidated with this appropriation by transfer from the applicable appropriation or appropriations of such department or agency.

**National Institute of Health, operating expenses:** For the activities of the National Institute of Health, not otherwise provided for,

58 Stat. 691-710.  
42 U. S. C. §§ 241,  
242, 242a, 244, 248, 249  
and note, 251, 253, 222,  
257, 259, 260; 24 U. S.  
C. note prec. § 191.

Transfer of funds.

60 Stat. 903.  
5 U. S. C. § 150.

Post, p. 615.

58 Stat. 691.  
42 U. S. C. § 241.

including research fellowship and grants for research projects pursuant to section 301 of the Act (including the purchase and distribution of penicillin and other antibiotic compounds for use in research projects for which grants are made); the regulation and preparation of biologic products; the purchase of six passenger motor vehicles; and maintenance of buildings; \$9,626,000.

58 Stat. 707.  
42 U. S. C. §§ 281-286.

Research and training grants.

National Cancer Institute: To enable the Surgeon General, upon the recommendations of the National Advisory Cancer Council, to make grants-in-aid for research and training projects relating to cancer, including grants for erection of buildings and acquisition of land therefor; to cooperate with State health agencies in the prevention, control, and eradication of cancer by providing consultative services, demonstrations, and grants-in-aid; and to otherwise carry out the provisions of title IV of the Act, including the purchase of twelve passenger motor vehicles, and including \$500,000 which shall be transferred to the appropriation "National Institute of Health, operating expenses", \$14,500,000, of which such amount as may be necessary in carrying out the purposes of this appropriation may be transferred to the appropriation "Pay, and so forth, commissioned officers, Public Health Service": *Provided*, That such parts of the amount appropriated under this head as the Surgeon General shall determine from time to time to be available for research and training grants shall remain available until expended.

Construction of research facilities: For the acquisition of a site, and the preparation of plans, specifications, and drawings, for additional research buildings and a six-hundred-bed clinical research hospital and necessary accessory buildings related thereto to be used in general medical research, including cancer and cardiovascular diseases, to be immediately available and to remain available until expended, \$2,650,000, which amount, except such part as may be necessary for the incidental expenses of the Public Health Service, shall be transferred to the Public Buildings Administration for the performance of the work for which the appropriation is made.

Appointment of officers to grades above senior assistant.

Commissioned officers, pay, and so forth: For pay, uniforms and subsistence allowances, increased allowances for foreign service and commutation of quarters for not to exceed one thousand two hundred and forty-six regular active commissioned officers; for retired pay of regular and reserve commissioned officers; and for six months' death gratuity pay and burial payments for regular commissioned officers; \$5,750,300: *Provided*, That not to exceed thirty-six officers may be appointed to grades above that of senior assistant and for purposes of pay and pay period any person so appointed shall be considered as having had on the date of appointment service equal to the promotion service credited to the junior officer of the grade to which appointed.

57 Stat. 153.

Transfer of funds.

Training for nurses: For continuing in training student nurses enrolled prior to October 16, 1945, under the provisions of the Act of June 15, 1943, as amended (50 U. S. C., App. 1451, and the following), \$4,500,000, of which not to exceed \$348,792 shall be available for administrative expenses, including printing and binding and travel: *Provided*, That this appropriation is hereby made available for transfer to and consolidation with appropriations of Saint Elizabeths and Freedmen's Hospitals, in such amounts as may be deemed necessary by the Federal Security Administrator, to cover the cost of items furnished to student nurses in training under plans approved for such hospitals in accordance with said Act.

Salaries and expenses: For the divisions and offices of the Office of the Surgeon General and for miscellaneous expenses of the Public Health Service not appropriated for elsewhere, including the supervision of sanitary engineering and dental operations of the Public

Health Service; maintenance and operation of the water and sanitary investigations station at Cincinnati, Ohio; surveys and investigations concerned with problems of pollution of the waters of lakes and rivers of the United States; collecting and compiling mortality, morbidity, and vital statistics, including procurement, by contract without regard to section 3709 of the Revised Statutes, as amended, of transcripts of State, municipal, and other records, and studies and investigations related thereto; preparing information, articles, and publications related to public health; conducting studies and demonstrations in public health methods; and purchase of four passenger motor vehicles; \$3,600,000.

Office of International Health Relations: For expenses necessary in connection with international health work and the Public Health Service mission to Liberia, including not to exceed \$1,000 for entertainment of officials of other countries when specifically authorized by the Surgeon General, \$275,000.

Station at Cincinnati, Ohio.

41 U. S. C. § 5.

Mission to Liberia.

#### SAINT ELIZABETHS HOSPITAL

Salaries and expenses: For expenses necessary for the maintenance and operation of the hospital (including the care and treatment of insane beneficiaries of the Bureau of Indian Affairs, and insane beneficiaries of the Bureau of Employees' Compensation, in the Federal Security Agency), including clothing for patients; reimbursement to employees, subject to regulations of the Federal Security Administrator, for the cost of repair or replacement of personal belongings damaged or destroyed by patients while such employees were engaged in the performance of their official duties; travel expenses; printing and binding; a health service program for employees as authorized by the Act of August 8, 1946 (Public Law 658); purchase of three passenger motor vehicles, including one ambulance; repairs and improvements to buildings and grounds; furnishing, repairing, and cleaning of such wearing apparel as may be used by employees in the performance of their official duties; cooperation with organizations or individuals in scientific research into the nature, causes, prevention, and treatment of mental illness; maintenance and operation of necessary facilities for feeding employees and others (at not less than cost as determined in accordance with regulations prescribed by the Federal Security Administrator), the proceeds therefrom to reimburse the appropriation for the institution; ascertaining the residence of patients whose care by the hospital is no longer authorized, and returning such patients to the place of residence; not exceeding \$1,500 for the removal of patients to their friends; attendance at meetings of organizations concerned with hospital administration and medical advancement, when authorized by the Federal Security Administrator; and not exceeding \$1,500 for the actual and necessary expenses incurred in pursuing, identifying, and returning patients who escape from the hospital or from the custody of any employee, including rewards for the capture of any such patients; \$1,550,000: *Provided*, That the District of Columbia, or any branch of the Government requiring Saint Elizabeths Hospital to care for patients for which they are responsible, shall pay by check to the Superintendent upon his written request, either in advance or at the end of each month, such amounts as shall be calculated by the Superintendent to be due for such care on the basis of a per diem rate approved by the Bureau of the Budget and bills rendered by the Superintendent of Saint Elizabeths Hospital in accordance herewith shall not be subject to audit or certification in advance of payment; proper adjustments of such bills paid for in advance on the basis of such calculations shall be made monthly or quarterly, as may

Post, p. 751.

60 Stat. 903.  
5 U. S. C. § 150.

Return of patients.

Payments for care of designated patients.

Accounting.

be agreed upon by the Superintendent of Saint Elizabeths Hospital and the District of Columbia government, department, or establishments concerned. All sums paid to the Superintendent of Saint Elizabeths Hospital for the care of patients that he is authorized by law to receive shall be deposited to the credit on the books of the Treasury of this appropriation and be subject to requisition upon the approval of the Superintendent of Saint Elizabeths Hospital.

## SOCIAL SECURITY ADMINISTRATION

49 Stat. 620, 627, 645.  
42 U. S. C. §§ 301-306, 601-606, 1201-1206.

Grants to States for old-age assistance, aid to dependent children, and aid to the blind: For grants to States as authorized in titles I, IV, and X of the Social Security Act, as amended (42 U. S. C., ch. 7, subch. I, IV, and X), \$625,000,000, of which such amount as may be necessary shall be available for grants under such titles I, IV, and X, respectively, for any period in the fiscal year 1947 subsequent to March 31, 1947.

Post, p. 615.

49 Stat. 626.  
42 U. S. C. §§ 501-503.

Salaries, Bureau of Public Assistance: For personal services in the District of Columbia and elsewhere, \$1,150,000.

Grants to States for unemployment compensation administration: For grants to States as authorized in title III of the Social Security Act, as amended (42 U. S. C., ch. 7, subch. III), \$57,586,000, of which such amounts as may be agreed upon by the Federal Security Agency and the Post Office Department shall be used for the payment, in such manner as said parties may jointly determine, of postage for the transmission of official mail matter in connection with the unemployment compensation administration of States receiving grants herefrom.

Post, p. 942.

60 Stat. 982.  
42 U. S. C. §§ 1331-1336.

Reconversion unemployment benefits for seamen: For payments to seamen as authorized by title XIII of the Social Security Act, as amended (sec. 306, Act of Aug. 10, 1946, Public Law 719), \$900,000.

Salaries, Bureau of Employment Security: For personal services in the District of Columbia and elsewhere, \$947,500.

60 Stat. 979.  
42 U. S. C. §§ 410, 1301-1.  
Post, p. 454.  
Accounting.

Salaries and expenses, Bureau of Old-Age and Survivors Insurance: For necessary expenses, including personal services in the District of Columbia and elsewhere, travel, including, when specifically authorized by the Federal Security Administrator, attendance at meetings of organizations concerned with the work of the Bureau of Old-Age and Survivors Insurance and printing and binding, not more than \$35,054,850 may be expended from the Federal old-age and survivors insurance trust fund, together with \$700,000 from the general fund of the Treasury (for carrying out title II of the Act of August 10, 1946 (Public Law 719), the two amounts to be accounted for as one fund: *Provided*, That any sums received by the Administrator as payment for services performed for any department or agency of the Government by persons whose salaries are paid from the amount made available under this paragraph shall be deposited to the credit of this appropriation and be available, during the fiscal year in which such sums are received, for the same purposes.

## CHILDREN'S BUREAU

37 Stat. 79.  
29 U. S. C. §§ 18-18c.

Salaries and expenses: For necessary expenses in carrying out the Act of April 9, 1912, as amended (29 U. S. C. 18a), including personal services in the District of Columbia; purchase of reports and material for the publications of the Children's Bureau and of reprints for distribution; \$431,000.

Salaries and expenses, maternal and child welfare: For necessary expenses in carrying out title V of the Social Security Act, as

amended (42 U. S. C., ch. 7, subch. V), and the emergency maternity and infant care program, including personal services in the District of Columbia; \$750,000: *Provided*, That no part of any appropriation contained in this title shall be used to promulgate or carry out any instruction, order, or regulation relating to the care of obstetrical cases which discriminates between persons licensed under State law to practice obstetrics: *Provided further*, That the foregoing proviso shall not be so construed as to prevent any patient from having the services of any practitioner of her own choice, paid for out of this fund, so long as State laws are complied with: *Provided further*, That any State plan which provides standards for professional obstetrical services in accordance with the laws of the State shall be approved.

Grants to States for emergency maternity and infant care (national defense): For grants to States, including Alaska, Hawaii, Puerto Rico, and the District of Columbia, to provide, in addition to similar services otherwise available, medical, nursing, and hospital maternity and infant care for wives and infants of enlisted men of the fourth, fifth, sixth, and seventh grades in the armed forces of the United States and of Army aviation cadets, under allotments by the Federal Security Administrator and plans developed and administered by State health agencies and approved by the Federal Security Agency, \$3,000,000, to be available until June 30, 1949, of which not more than \$210,000 may be allotted to the States for administrative expenses on the basis of need as determined by the Federal Security Agency: *Provided*, That the foregoing grants to States shall be on the understanding that the activity shall be in process of liquidation on and after July 1, 1947, but this shall not be construed to preclude the furnishing of the above-mentioned services, regardless of the date of application therefor, to any woman or the offspring of any woman shown to have been otherwise eligible as of June 30, 1947, under laws and regulations then applicable.

Grants to States for maternal and child health services: For grants to States as authorized in title V, part 1, of the Social Security Act, as amended (42 U. S. C., ch. 7, subch. V), \$11,000,000: *Provided*, That any allotment to a State pursuant to section 502 (b) of such Act shall not be included in computing for the purposes of subsections (a) and (b) of section 504 of such Act an amount expended or estimated to be expended by the State.

Grants to States for services for crippled children: For grants to States as authorized in title V, part 2, of the Social Security Act, as amended (42 U. S. C., ch. 7, subch. V), \$7,500,000: *Provided*, That any allotment to a State pursuant to section 512 (b) of such Act shall not be included in computing, for the purpose of subsections (a) and (b) of section 514 of such Act, an amount expended or estimated to be expended by the State.

Grants to States for child-welfare services: For grants to States as authorized in title V, part 3, of the Social Security Act, as amended (42 U. S. C., ch. 7, subch. V), \$3,500,000.

Salaries, consolidated operations, Social Security Administration: For personal services in the District of Columbia and elsewhere not otherwise appropriated for, \$2,000,000.

Miscellaneous expenses, Social Security Administration: For expenses, not otherwise appropriated for, necessary to carry into effect the Social Security Act, as amended (42 U. S. C. 301-1305), including exchange of books; library membership fees or dues in organizations which issue publications to members only or to members at a lower price than to others, payments for which may be made in advance;

49 Stat. 629.  
42 U. S. C. §§ 701-731.  
Care of obstetrical cases.

Liquidation of activity.

49 Stat. 629.  
42 U. S. C. §§ 701-705.

49 Stat. 629, 630.  
42 U. S. C. §§ 702 (b), 704 (a), (b).

49 Stat. 631.  
42 U. S. C. §§ 711-715.  
49 Stat. 631, 632.  
42 U. S. C. §§ 712 (b), 714.

49 Stat. 633.  
42 U. S. C. § 721.

Post, p. 942.

49 Stat. 620.

60 Stat. 810.  
5 U. S. C. § 55a.

Transfer of func-  
tions; amounts for  
personal services.

Transfer of funds.

Withholding of  
funds from State  
agencies.

60 Stat. 903.  
5 U. S. C. § 150.

49 Stat. 620, 626, 627,  
629, 645.  
42 U. S. C. §§ 301-  
306, 601-603, 601-606,  
701 *et seq.*, 1201-1206.

*Supra.*

alterations and repairs; contract stenographic reporting services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), but, when contracted for on a fee basis, without regard to the limitation on rates in such section; \$430,400.

If during the fiscal year 1947 or 1948 functions are transferred by the Federal Security Administrator from or between any of the offices or bureaus of the Social Security Administration, the Administrator may transfer from or between the amounts herein made available for salaries for the Social Security Administration the sums necessary for personal services in connection with the functions so transferred.

Not to exceed 5 per centum of any of the amounts herein made available for salaries for the Social Security Administration may, subject to the approval of the Bureau of the Budget, be transferred by the Administrator to any other of such amounts, but no amount may be increased more than 5 per centum thereby.

None of the moneys appropriated by this Act to the Social Security Administration or to the Children's Bureau for grants-in-aid of State agencies to cover, in whole or in part, the cost of operation of said agencies, including the salaries and expenses of officers and employees of said agencies, shall be withheld from the said agencies of any States which have established by legislative enactment and have in operation a merit system and classification and compensation plan covering the selection, tenure in office, and compensation of their employees, because of any disapproval of their personnel or the manner of their selection by the agencies of the said States, or the rates of pay of said officers or employees.

The amounts herein made available for salaries or expenses of the Social Security Administration shall be available for a health service program for the employees thereof as authorized by the Act of August 8, 1946 (Public Law 658).

Grants to States, fiscal year 1949: For making, after May 31, 1948, payments to States under titles I, III, IV, V, and X, respectively, of the Social Security Act, as amended, for the first quarter of the fiscal year 1949, such sums as may be necessary, the obligations incurred and the expenditures made thereunder for payments under each of such titles to be charged to the appropriation therefor for the fiscal year 1949.

In the administration of titles I, IV, V, and X, respectively, of the Social Security Act, as amended, payments to a State under any of such titles for any quarter in the period beginning April 1, 1947, and ending June 30, 1948, may be made with respect to a State plan approved under such title prior to or during such period, but no such payment shall be made with respect to any plan for any quarter prior to the quarter in which such plan was submitted for approval.

#### OFFICE OF THE ADMINISTRATOR

Salaries, Office of the Administrator, including personal services in the District of Columbia; temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), but in the case of stenographic reporting services on a fee basis without regard to the limitation on rates in such section and in the case of other services at rates not in excess of \$35 per diem for individuals; and health service programs for employees as authorized by the Act of August 8, 1946 (Public Law 658); \$330,000, of which \$6,600 is for personal services incident to the liquidation of the Civilian Conservation Corps in accordance with the applicable provisions under the head "Civilian Conservation Corps" in the Federal Security Agency

60 Stat. 810.  
5 U. S. C. § 55a.

60 Stat. 903.  
5 U. S. C. § 150.  
CCC and NYA  
liquidation expenses.

Appropriation Act, 1944, and the National Youth Administration in accordance with the applicable provisions under the head "National Youth Administration" in the Federal Security Agency Appropriation Act, 1945.

Salaries, Division of Personnel Management, including personal services in the District of Columbia, \$139,850.

Salaries, Division of Service Operations, including personal services in the District of Columbia, \$294,400.

Salaries, Office of the General Counsel, including personal services in the District of Columbia, \$337,600.

Miscellaneous expenses, Office of the Administrator: For miscellaneous expenses including \$500 for the liquidation of the Civilian Conservation Corps in accordance with the applicable provisions under the head "Civilian Conservation Corps" in the Federal Security Agency Appropriation Act, 1944, and the National Youth Administration in accordance with the applicable provisions under the head "National Youth Administration" in the Federal Security Agency Appropriation Act, 1945; examination of estimates for appropriations in the field; exchange of books; library membership fees or dues in organizations which issue publications to members only or to members at a lower price than to others, payment for which may be made in advance; and purchase of two passenger motor vehicles (including one at not to exceed \$3,000); \$65,000: *Provided*, That the Administrator may transfer to this appropriation from appropriations of the constituent organizations of the Federal Security Agency such sums as may be necessary to finance the purchase of duplicating materials required in performance of duplicating work for such constituent organizations, unused portions of which sums may, at any time, be retransferred by the Administrator to the original appropriations.

Travel expenses: For travel expenses (not appropriated for elsewhere) for the Federal Security Agency, including, when specifically authorized by the Federal Security Administrator, attendance at meetings of organizations concerned with the work of the Federal Security Agency, \$1,571,700: *Provided*, That all receipts from non-Federal agencies representing reimbursement for expenses of travel of employees of the Office of Education performing advisory functions to said agencies shall be deposited in the Treasury of the United States to the credit of this appropriation.

Printing and binding: For printing and binding (not appropriated for elsewhere) for the Federal Security Agency, including the purchase of reprints, \$670,000.

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail of the Federal Security Agency as required by the Act of June 28, 1944 (39 U. S. C. 321d), \$500,000.

Civilian war assistance: For expenses necessary, including personal services in the District of Columbia, to continue during the fiscal year 1948 to provide (a) temporary aid (including medical care by contract, transportation, and other goods and services without regard to section 3709, Revised Statutes, as amended, and money payments) to citizens of the United States or their children under eighteen years of age who have been interned or stranded, and returned to the United States, or who have been evacuated from any area under the direction of the civil or military authorities of the United States, and (b) for temporary aid to and the return of civilians evacuated from the Philippine Islands or Hawaii to the United States under the direction of the civil or military authorities of the United States during the period from December 7, 1941, to September 15, 1945; \$750,000, which amount

57 Stat. 498.  
16 U. S. C. §§ 584-584q note.  
58 Stat. 564.  
15 U. S. C. ch. 16 note.

57 Stat. 498.  
16 U. S. C. §§ 584-584q note.

58 Stat. 564.  
15 U. S. C. ch. 16 note.

Transfer of funds.

Deposit of reimbursement receipts.

58 Stat. 394.  
39 U. S. C. §§ 321c-321h.  
*Post*, p. 450.

41 U. S. C. § 5.



may be expended by advances or grants of funds or otherwise, to such Federal or other agencies as the Administrator may designate.

In order that the Administrator may effectuate reorganization plans submitted and approved pursuant to the Reorganization Acts of 1939 and 1945 he may transfer to the foregoing appropriations under this title from funds available for administrative expenses of the constituent units of the Federal Security Agency such sums as represent a consolidation in the Office of the Administrator of any of the administrative functions of said constituent units: *Provided*, That no such transfer of funds shall be made unless the consolidation of administrative functions will result in a reduction of administrative salary and other expenses and such reduction is accompanied by savings in funds appropriated to the Federal Security Agency which savings shall not be expended for any other purpose but shall be impounded and returned to the Treasury.

The Secretary of the Treasury is authorized to transfer to the constituent organizations of the Federal Security Agency from appropriations for travel expenses and printing and binding, Federal Security Agency, such amounts as the Administrator may request; amounts so transferred shall be set up on the books of the Treasury under suitable titles and shall be available for the same purposes and subject to the same limitations as the appropriations from which transferred: *Provided*, That balances of any amounts so transferred, or any part of such balances shall, upon request of the Administrator, be retransferred to the appropriations for travel expenses and printing and binding, Federal Security Agency.

Appropriations under this title available for administrative expenses (other than those exclusively for salaries) shall be available for the payment of claims pursuant to part 2 of the Federal Tort Claims Act of August 2, 1946 (Public Law 601).

This title may be cited as the "Federal Security Agency Appropriation Act, 1948".

### TITLE III—NATIONAL LABOR RELATIONS BOARD

**Salaries:** For three Board members of the National Labor Relations Board and other personal services of the Board in the District of Columbia and elsewhere necessary in performing the duties authorized by law, \$3,750,000.

**Miscellaneous expenses:** For necessary expenses, other than salaries, of the National Labor Relations Board in performing duties authorized by law, including repairs and alterations; contract stenographic reporting services; and not to exceed \$1,000 for the hire of passenger motor vehicles; \$900,000.

**Penalty mail costs:** For deposit in the general fund of the Treasury for cost of penalty mail of the National Labor Relations Board as required by section 2 of the Act of June 28, 1944, \$24,700.

**Printing and binding:** For printing and binding for the National Labor Relations Board, \$300,000.

No part of the funds appropriated in this title shall be used in any way in connection with a complaint case arising over an agreement, or a renewal thereof, between an employer and a labor organization which represents a majority of his employees in their appropriate bargaining unit, which has been in existence for three months or longer without complaint being filed by an employee or employees of such plant: *Provided*, That, hereafter, notice of such agreement or a renewal thereof shall have been posted in the plant affected for said period of three months, said notice containing information as to the location at an accessible place of such agreement where said agreement shall be open for inspection by any interested person:

Transfer of funds.

53 Stat. 561, 1423; 54 Stat. 1231; 59 Stat. 613; 60 Stat. 1095, 1097.  
5 U. S. C. §§ 133-133t note, 133y-133y-16.

Transfer of funds.

60 Stat. 843.  
28 U. S. C. §§ 921, 922.  
Citation of title.

National Labor Relations Board Appropriation Act, 1948.  
*Ante*, pp. 118, 187, 188, 245; *post*, pp. 361, 608, 609.  
*Post*, p. 616.

*Post*, p. 616.

*Post*, p. 616.

58 Stat. 394.  
39 U. S. C. § 321d.  
*Post*, p. 616.

Unfiled complaint cases.

Notice of agreement.

*Provided further*, That these limitations shall not apply to agreements with labor organizations formed in violation of section 158, paragraph 2, title 29, United States Code: *Provided further*, That no part of the funds appropriated in this title shall be used by the National Labor Relations Board in any way in connection with the performance of the duties imposed upon it by the War Labor Disputes Act (50 U. S. C. App. 1501-11): *Provided further*, That no part of the funds appropriated in this title shall be available to organize or assist in organizing agricultural laborers, or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2 (3) of the Act of July 5, 1935 (49 Stat. 450), and as defined in section 3 (f) of the Act of June 25, 1938 (52 Stat. 1060).

This title may be cited as the "National Labor Relations Board Appropriation Act, 1948".

49 Stat. 452.  
*Ante*, p. 136.

57 Stat. 163.  
*Ante*, p. 159.

29 U. S. C. §§ 152 (3),  
203 (f).  
*Ante*, p. 136.  
Citation of title.

#### TITLE IV—NATIONAL MEDIATION BOARD

Salaries and expenses: For three members of the Board, and for other expenditures of the National Mediation Board, including contract stenographic reporting services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), \$328,700, of which amount not to exceed \$251,726 may be expended for personal services in the District of Columbia.

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail of the National Mediation Board and the National Railroad Adjustment Board as required by section 2 of the Act of June 28, 1944, \$700.

Arbitration and emergency boards: For necessary expenses of arbitration boards established under section 7 of the Railway Labor Act (45 U. S. C. 157) and emergency boards appointed by the President pursuant to section 10 of said Act (45 U. S. C. 160); necessary transportation expenses of board members to and from their homes or regular places of business, and \$6 per diem in lieu of subsistence on such days as they are actually engaged in performance of the duties of said boards; printing and binding; contract stenographic reporting services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), \$119,000.

Printing and binding: For all printing and binding for the National Mediation Board, \$9,000.

National Mediation  
Board Appropriation  
Act, 1948.  
*Ante*, pp. 118, 187,  
188, 245; *post*, pp. 361,  
608, 609.

60 Stat. 810.  
5 U. S. C. § 55a.

58 Stat. 394.  
39 U. S. C. § 321d.

44 Stat. 582, 586.

*Supra*.

#### NATIONAL RAILROAD ADJUSTMENT BOARD

Salaries and expenses: For necessary expenses of the National Railroad Adjustment Board, including contract stenographic reporting services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), \$367,000, of which \$65,000 shall be available only for compensation, not in excess of \$50 per day, and expenses of referees; and not more than \$175,000 for other personal services.

Printing and binding: For all printing and binding for the National Railroad Adjustment Board, \$45,000.

This title may be cited as the "National Mediation Board Appropriation Act, 1948".

*Supra*.

Citation of title.

#### TITLE V—RAILROAD RETIREMENT BOARD

Salaries: For personal services in the District of Columbia and elsewhere, \$4,560,000.

Miscellaneous expenses (other than salaries): For necessary expenditures, including not to exceed \$1,000 for expenses of attendance at meetings concerned with the work of the Board when specifically

Railroad Retirement Board Appropriation Act, 1948.  
*Ante*, pp. 118, 187,  
188, 245; *post*, pp. 361,  
608, 609.

60 Stat. 842.  
28 U. S. C. §§ 921,  
922, 931-934, 941-946.  
*Post*, p. 722.

58 Stat. 394.  
39 U. S. C. § 321d.

49 Stat. 967; 50 Stat.  
307.  
45 U. S. C. §§ 215-  
228s.  
50 Stat. 316.  
45 U. S. C. § 228o(a).

60 Stat. 903.  
5 U. S. C. § 150.  
Citation of title.

authorized by the Board; repairs and alterations; contract stenographic reporting services; and for payment in advance when authorized by the Board for library membership in organizations which issue publications to members only or to members at a price lower than to the general public; not to exceed \$2,000 for claims determined and settled pursuant to the Federal Tort Claims Act; and purchase of one passenger motor vehicle; \$1,046,000.

Printing and binding: For printing and binding, \$53,000.

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944, \$175,000, of which \$113,000 shall be derived from the railroad unemployment insurance administration fund.

Railroad retirement account: For an amount sufficient as an annual premium for the payments required under the Railroad Retirement Acts of August 29, 1935, and June 24, 1937, and authorized to be appropriated to the railroad retirement account established under section 15 (a) of the latter Act, \$685,072,000, of which \$203,793,000 shall be immediately available: *Provided*, That such total amount shall be available until expended for making payments required under said retirement Acts, and the amount not required for current payments shall be invested by the Secretary of the Treasury in accordance with the provisions of said Railroad Retirement Act of June 24, 1937.

The foregoing appropriations for salaries and miscellaneous expenses of the Board shall be available for a health-service program as authorized by the Act of August 8, 1946 (Public Law 658).

This title may be cited as the "Railroad Retirement Board Appropriation Act, 1948".

## TITLE VI—GENERAL PROVISIONS

Persons engaging,  
etc., in strikes against  
or advocating over-  
throw of U. S. Gov-  
ernment.

Affidavit.

Penalty.

Short title.

SEC. 601. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

SEC. 602. This Act may be cited as the "Labor-Federal Security Appropriation Act, 1948".

Approved July 8, 1947.

## [CHAPTER 211]

## AN ACT

Making appropriations for the Departments of State, Justice and Commerce, and the Judiciary, for the fiscal year ending June 30, 1948, and for other purposes.

July 9, 1947  
[H. R. 3311]  
[Public Law 166]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1948, namely:

Departments of State, Justice and Commerce, and the Judiciary Appropriation Act, 1948.

## TITLE I—DEPARTMENT OF STATE

## DEPARTMENT SERVICE

Salaries and expenses, Department of State: For necessary expenses, including personal services in the District of Columbia; salary of the Under Secretary of State, \$12,000; employment of aliens and temporary employment of persons in the United States, without regard to civil service and classification laws (not to exceed \$20,000); health service program as authorized by the Act of August 8, 1946 (Public Law 658); not to exceed \$30,000 for expenses of attendance at meetings concerned with the work of the Department of State; purchase of uniforms for chauffeurs; purchase of fourteen passenger motor vehicles, including one at not to exceed \$3,000; and dues for library membership in societies or associations which issue publications to members only, or at a price to members lower than to subscribers who are not members, newspapers, teletype rentals, and tolls (not to exceed \$65,000); rental of tie lines; stenographic reporting and translating services by contract and services for the analysis and tabulation of technical information and the preparation of special maps, globes, and geographic aids by contract, all without regard to section 3709 of the Revised Statutes, as amended; expenses as authorized by title VII (except section 705), of the Foreign Service Act of 1946; acquisition, production and free distribution of informational materials for use in connection with the operation, independently or through individuals, including aliens, or public or private agencies (foreign or domestic), and without regard to section 3709 of the Revised Statutes of an information program outside of the continental United States, including the purchase of radio time (except that funds herein appropriated shall not be used to purchase more than 75 per centum of the effective daily broadcasting time from any person or corporation holding an international short-wave broadcasting license from the Federal Communications Commission without the consent of such licensee), and the purchase, rental, construction, improvement, maintenance, and operation of facilities for radio transmission and reception; purchase and presentation of various objects of a cultural nature suitable for presentation (through diplomatic and consular offices) to foreign governments, schools, or other cultural or patriotic organizations, the purchase, rental, distribution, and operation of motion-picture projection equipment and supplies, including rental of halls, hire of motion-picture projector operators, and all other necessary services by contract or otherwise without regard to section 3709 of the Revised Statutes; refund of fees erroneously charged and paid for the issue of passports as authorized by law (22 U. S. C. 214a); not to exceed \$40,000 for deposit in the general fund of the Treasury for cost of penalty mail of the Department of State as required by the Act of June 28, 1944; the examination of estimates of appropriations in the field; and maintenance and operation of passport and despatch agencies established by

Department of State Appropriation Act, 1948.

*Ante*, pp. 118, 187, 188, 245; *post*, pp. 361, 575, 582, 608, 609, 613, 622, 623.

*Post*, pp. 613, 622.

60 Stat. 903.  
5 U. S. C. § 150.

Teletype rentals and tolls.

41 U. S. C. § 5.  
60 Stat. 1018.  
22 U. S. C. §§ 1041-1047.  
Materials, etc., for information program outside U. S.

41 U. S. C. § 5.

Objects for presentation to foreign governments.

41 U. S. C. § 5.  
Refund of certain passport fees.  
44 Stat. 887.

58 Stat. 394.  
39 U. S. C. §§ 321c-321h.  
*Post*, p. 450.

60 Stat. 843.  
28 U. S. C. §§ 921,  
922.

48 Stat. 945.

Contracts for use of  
international short-  
wave radio stations.

31 U. S. C. § 665  
note.

Personal services.

the Secretary of State; \$30,067,250, of which \$2,000 is for claims determined and settled pursuant to part 2 of the Federal Tort Claims Act (Act of August 2, 1946, Public Law 601): *Provided*, That not to exceed \$3,000 of this appropriation may be expended for necessary expenses, except personal services, in carrying out the provisions of section 4 of the Act entitled "An Act to amend the Tariff Act of 1930", approved June 12, 1934, as amended (19 U. S. C. 1354): *Provided further*, That notwithstanding the provisions of section 3679 of the Revised Statutes (31 U. S. C. 665), the Department of State is authorized in making contracts for the use of international short-wave radio stations and facilities, to agree on behalf of the United States to indemnify the owners and operators of said radio stations and facilities from such funds as may be hereafter appropriated for the purpose, against loss or damage on account of injury to persons or property arising from such use of said radio stations and facilities: *Provided further*, That not to exceed \$1,157,000 of the funds allocated to the International Broadcasting Division from this appropriation shall be available for personal services.

Printing and binding, Department of State: For printing and binding in the Department of State except as otherwise provided for, \$960,000.

Collecting and editing official papers of Territories of the United States: For the expenses of collecting, editing, copying, and arranging for publication the official papers of the Territories of the United States, including personal services in the District of Columbia, printing and binding, and traveling expenses, as provided by the Act of July 31, 1945 (5 U. S. C. 168d), \$30,000.

59 Stat. 510.  
Surplus property  
disposal.

58 Stat. 765.  
50 U. S. C. app.  
§§ 1611-1646.  
*Post*, p. 678.

Surplus property disposal: For necessary expenses to enable the Department of State to carry out its functions and activities relative to disposition of surplus property pursuant to the provisions of the Surplus Property Act of 1944 (50 U. S. C. 1611-1646), as amended, including personal services in the District of Columbia and employment of persons outside the continental limits of the United States without regard to civil-service and classification laws; attendance at meetings of organizations concerned with the activity for which this appropriation is made; cost of living and living quarters allowances and transportation of families and effects including cost of living allowance for military personnel assigned or detailed to the Department, all under such regulations as the Secretary of State may prescribe; temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); payment of rent in foreign countries in advance; printing and binding, including printing and binding outside the continental limits of the United States without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111); hire of passenger motor vehicles; advertising without regard to section 3828 of the Revised Statutes; \$2,650,000.

60 Stat. 810.  
5 U. S. C. § 55a.

40 Stat. 1270.

44 U. S. C. § 324.  
*Post*, p. 622.

North Atlantic Fisheries: For necessary expenses of surveys, discussions, and other preliminary activities incident to the negotiation of an international agreement relating to conservation of the North Atlantic fisheries, \$25,000.

#### FOREIGN SERVICE

*Post*, pp. 609, 622.  
60 Stat. 999.  
22 U. S. C. §§ 801,  
*et seq.*, 1041-1047, 1061  
*et seq.*, 1131.

41 U. S. C. § 5.

Salaries and expenses, Foreign Service: For necessary expenses as authorized by the Foreign Service Act of 1946, Public Law 724 (except title VII, sections 701, 702, 703, 704, 706, 707, title VIII, and section 901 of title IX), including repairs, alterations, preservation, and maintenance of Government-owned and leased diplomatic and consular properties in foreign countries, including minor construction on Government-owned properties, without regard to section 3709 of the

Revised Statutes, as amended; purchase, rental, operation, and maintenance of printing and binding machines, equipment and devices abroad; ice and drinking water for office purposes; the hire of passenger motor vehicles, and purchase of ninety, including ten for chiefs of missions at not to exceed \$3,000 each; maintenance, operation, and repair of airplanes; maintenance, operation, repair, and rental of motorboats and launches for use at posts where determined to be necessary by the Secretary of State; insurance of official motor vehicles in foreign countries when required by law of such countries; excise taxes on negotiable instruments; purchase of uniforms; purchase of household furniture and furnishings for Government-owned, rented, or leased buildings, except as provided by the Act of May 7, 1926, as amended (22 U. S. C. 292-299), and the acquisition, by purchase or otherwise, of household equipment for the purpose set forth in section 912 of said Foreign Service Act of 1946, all without regard to section 3709 of the Revised Statutes, as amended; loss by exchange; radio broadcasting; payment in advance for subscriptions to commercial information, telephone and similar services, including telephone service in residences as authorized by the Act of April 30, 1940 (31 U. S. C. 679); burial expenses and expenses in connection with last illness and death of certain native employees, as authorized by the Act of July 15, 1939 (5 U. S. C. 118f); for relief, protection, and burial of American seamen, and alien seamen as authorized by the Act of March 24, 1943 (57 Stat. 45), in foreign countries and in Territories and insular possessions of the United States, and for expenses incurred in the acknowledgement of the services of officers and crews of foreign vessels and aircraft in rescuing American seamen, airmen, or citizens from shipwreck or other catastrophe abroad; for expenses of maintaining in Egypt, Ethiopia, Morocco, and Muscat, institutions for incarcerating American convicts and persons declared insane by any consular court, rent of quarters for prisons, ice and drinking water for prison purposes, and for the expenses of keeping, feeding, and transportation of prisoners and persons declared insane; for every expenditure requisite for or incident to the bringing home from foreign countries of persons charged with crime, as authorized by section 5275 of the Revised Statutes (18 U. S. C. 659); and the operation and maintenance of commissary and mess service (not to exceed \$275,000); \$48,737,750: *Provided*, That the payment for rent of Foreign Service quarters may be made in advance: *Provided further*, That the Secretary of State may lease or rent, for periods not exceeding ten years, offices, buildings, grounds, and living quarters for the use of the Foreign Service, and may furnish heat, fuel, light, gas, and electricity for Government-owned, leased, or rented offices, buildings, grounds, and living quarters, all without regard to section 3709 of the Revised Statutes (41 U. S. C. 5): *Provided further*, That pursuant to section 8 of Public Law 600 approved August 2, 1946, automobiles in possession of the Foreign Service abroad may be exchanged or sold and the exchange allowances or proceeds of such sales applied to replacement of an equal number of passenger vehicles and the cost, including the exchange allowance, of each such replacement shall not exceed \$3,000 in the case of the chief of mission automobile at each diplomatic mission and \$1,300 in the case of all other passenger vehicles except station wagons, and such replacements shall not be charged against the numerical limitation hereinbefore set forth.

Living and quarters allowances, Foreign Service: To provide for allowances as authorized by section 901 (1) and (2) of the Foreign Service Act of 1946 (Public Law 724), \$8,130,000.

Representation allowances, Foreign Service: For representation allowances as authorized by section 901 (3) of the Foreign Service Act of 1946 (Public Law 724), \$700,000.

44 Stat. 403.  
22 U. S. C. § 300.

60 Stat. 1027.  
22 U. S. C. § 1137.  
41 U. S. C. § 5.  
Radio broadcasting.

54 Stat. 175.

53 Stat. 1043.  
Relief, etc., of American seamen.

50 U. S. C. app.  
§ 1291 *et seq.*

Consular prisons,  
etc.

Bringing home persons charged with crime.

Advance payment of rent.  
Leases, etc.  
*Post*, p. 623.

Automobiles.

60 Stat. 808.  
5 U. S. C. § 118d-1.

*Post*, p. 622.

60 Stat. 1025, 1026.  
22 U. S. C. § 1131(1), (2).

60 Stat. 1026.  
22 U. S. C. § 1131(3).

60 Stat. 999.  
22 U. S. C. § 801  
et seq.

Foreign Service retirement and disability fund: For financing the liability of the United States, created by the Foreign Service Act of 1946 (Public Law 724), \$2,085,000, which amount shall be placed to the credit of the "Foreign Service retirement and disability fund."

40 Stat. 1270.

Printing and binding, Foreign Service: For printing and binding for the Foreign Service, \$180,000: *Provided*, That printing and binding outside continental United States may be without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111).

52 Stat. 441.  
60 Stat. 663.  
22 U. S. C. § 295b.

Foreign Service buildings fund: For carrying into effect the Act of May 25, 1938 (22 U. S. C. 295a), and the Act of July 25, 1946 (Public Law 547), including the initial alterations, repair, and furnishing of buildings acquired under said Act, \$51,500,000, of which \$50,000,000 is exclusively for expenditure under the provisions of said Public Law 547 and shall be immediately available.

Crediting of refunds,  
etc.

Emergencies arising in the Diplomatic and Consular Service: For expenses necessary to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service, to be expended pursuant to the requirement of section 291 of the Revised Statutes (31 U. S. C. 107), including personal services in the District of Columbia, \$11,000,000: *Provided*, That all refunds, repayments, or other credits on account of funds disbursed under this head shall be credited to the appropriation for this purpose current at the time obligations are incurred or such amounts are received: *Provided further*, That the Secretary of State may delegate to subordinate officials the authority vested in him by section 291 of the Revised Statutes pertaining to certification of expenditures.

31 U. S. C. § 107.

Exchange of funds.

The exchange of funds for payment of expenses in connection with the operation of diplomatic and consular establishments abroad shall not be subject to the provisions of section 3651 of the Revised Statutes (31 U. S. C. 543).

Post, p. 623.

#### INTERNATIONAL OBLIGATIONS AND ACTIVITIES

45 Stat. 487.

49 Stat. 425.

46 Stat. 825.

57 Stat. 159.

59 Stat. 529.

45 Stat. 491; 58 Stat.  
402.  
55 Stat. 1143.

56 Stat. 1303.

58 Stat. 1169.

22 U. S. C. § 269d.

United States contributions to international commissions, congresses, and bureaus: For payment of the annual contributions, quotas, and expenses, including loss by exchange in discharge of the obligations of the United States in connection with international commissions, congresses, bureaus, and other objects, in not to exceed the respective amounts as follows: American International Institute for the Protection of Childhood (22 U. S. C. 269b), \$2,000; Bureau of International Telecommunication Union, Radio Section (49 Stat. 2391, 54 Stat. 1417), \$6,983; Bureau of Interparliamentary Union for Promotion of International Arbitration, including participation by the United States in the work of the Bureau (22 U. S. C. 276, 276a), \$30,000, of which \$15,000 shall be expended under the direction of the President and the Executive Secretary of the American group; Cape Spartel and Tangier Light, Coast of Morocco (14 Stat. 679), \$800; Central Bureau of the International Map of the World on the Millionth Scale (22 U. S. C. 269a), \$50; Emergency Advisory Committee for Political Defense, including participation by the United States in the Committee (Act of June 19, 1943, Public Law 80), \$25,000; Food and Agriculture Organization of the United Nations (22 U. S. C. 279-279d), \$1,250,000; Gorgas Memorial Laboratory (22 U. S. C. 278, 278a, 278b), \$50,000; Inter-American Coffee Board (Convention of November 28, 1940), \$8,000; Inter-American Economic and Social Council (57 Stat. 159), \$23,000; Inter-American Indian Institute (Convention of November 29, 1940), \$4,800; Inter-American Institute of Agricultural Sciences (Convention of January 15, 1944), \$159,773; Inter-American Radio Office (53 Stat. 1576), \$6,720; Inter-American Statistical Institute (56 Stat. 20),

\$31,955; International Bureau for the Protection of Industrial Property (53 Stat. 1748), \$2,491; International Bureau for Publication of Customs Tariffs (26 Stat. 1520), \$2,233; International Bureau of the Permanent Court of Arbitration (32 Stat. 1779, 36 Stat. 2199), \$1,723; International Bureau of Weights and Measures (20 Stat. 714, 43 Stat. 1687), \$8,314; International Civil Aviation Organization (Convention ratified by the Senate July 25, 1946), \$510,000; International Council of Scientific Unions and Associated Unions (22 U. S. C. 274) as follows: International Council of Scientific Unions, \$163; International Astronomical Union, \$1,046; International Union of Geodesy and Geophysics, \$3,920; International Scientific Radio Union, \$392; International Union of Chemistry, \$675; International Geographical Union, \$552; in all, \$6,748; International Hydrographic Bureau (22 U. S. C. 275), \$9,147; International Labor Organization (22 U. S. C. 271), \$522,000; International Office of Public Health (35 Stat. 2061), \$5,105; International Penal and Penitentiary Commission (37 Stat. 692), \$4,922; International Statistical Bureau at The Hague (22 U. S. C. 269c), \$2,500; Pan American Institute of Geography and History (22 U. S. C. 273), \$10,000; Pan American Sanitary Bureau (44 Stat. 2041), \$63,909; Pan American Union (Treaty of Feb. 20, 1928; 22 U. S. C. 264; 44 U. S. C. 282), \$379,488, including not to exceed \$20,000 for printing and binding; Payment to the Government of Panama (33 Stat. 2238, 53 Stat. 1818), \$430,000; total, \$3,557,661, together with such additional sums, due to increase in rates of exchange as the Secretary of State may determine and certify to the Secretary of the Treasury to be necessary to pay, in foreign currencies, the quotas and contributions required by the several treaties, conventions, or laws establishing the amount of the obligation.

United States participation in United Nations: For necessary expenses authorized by section 7 of the United Nations Participation Act of 1945 incident to the participation by the United States in the United Nations pursuant to the provisions of said Act, including attendance at meetings of societies or associations concerned with the work of the United Nations; hire of passenger motor vehicles and purchase of six, including one at not to exceed \$3,000; purchase of uniforms for guards and chauffeurs; and printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111); \$12,578,240, of which amount \$10,949,805 shall be available for contribution to the United Nations: *Provided*, That the Department of State, when requested by the United Nations, is authorized to acquire surplus property in accordance with the provisions of the Surplus Property Act of 1944 (58 Stat. 765–784), as amended, with funds hereby appropriated for the United States contribution to the United Nations, and such contribution shall be reduced by the value of the surplus property and necessary expenses, including transportation costs, incidental to the acquisition thereof.

United States participation in the United Nations Educational, Scientific, and Cultural Organization: For necessary expenses incident to the participation by the United States in the United Nations Educational, Scientific, and Cultural Organization pursuant to the provisions of the Act of July 30, 1946 (Public Law 565), including attendance at meetings of societies and associations concerned with the work of the Organization; hire of passenger motor vehicles; rental of halls, facilities, and services requisite for or incident to sessions and conferences of the National Commission on Educational, Scientific, and Cultural Cooperation, by contract or otherwise, without regard to section 3709 of the Revised Statutes, as amended (41 U. S. C. 5); \$3,703,385, of which amount \$3,500,385 shall be available for contribution to and advance to the revolving fund of that Organization.

49 Stat. 540.

41 Stat. 1215.

48 Stat. 1182.

43 Stat. 112.

49 Stat. 512.

36 Stat. 1032.

Participation in  
United Nations.  
*Post*, p. 623.  
59 Stat. 621.  
22 U. S. C. § 287e.

40 Stat. 1270.

Acquisition of sur-  
plus property.

50 U. S. C. app.  
§§ 1611–1646.  
*Post*, p. 678.

UNESCO.

60 Stat. 712.  
22 U. S. C. §§ 287m–  
287t.



International activities.  
*Post*, p. 623.  
 41 U. S. C. § 5.

44 Stat. 688.  
 5 U. S. C. § 821.

40 Stat. 1270.

60 Stat. 1026.  
 22 U. S. C. § 1131(3).

24 Stat. 1011; 26 Stat. 1512; 35 Stat. 1363; 34 Stat. 2953; 48 Stat. 1621; 59 Stat. 1219.

49 Stat. 660.

60 Stat. 810.  
 5 U. S. C. § 55a.

Leasing private property.

48 Stat. 1621.

49 Stat. 660, 961.

49 Stat. 1463; 55 Stat. 338.

**International activities:** For necessary expenses, without regard to section 3709 of the Revised Statutes, as amended, of participation by the United States upon approval by the Secretary of State, in international activities which arise from time to time in the conduct of foreign affairs and for which specific appropriations have not been provided pursuant to treaties, conventions, or special Acts of Congress, including personal services in the District of Columbia or elsewhere without regard to civil-service and classification laws; employment of aliens; travel expenses without regard to the Standardized Government Travel Regulations and the Subsistence Expense Act of 1926, as amended; transportation of families and effects under such regulations as the Secretary of State may prescribe; stenographic and other services; rent of quarters by contract or otherwise; hire of passenger motor vehicles; contributions for the share of the United States in expenses of international organization; printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111); entertainment and representation allowances as authorized by section 901 (3) of the Act of August 13, 1946 (Public Law 724) (not to exceed \$75,000); \$3,600,000.

**International Boundary and Water Commission, United States and Mexico:** For expenses necessary to enable the United States to meet its obligations under the treaties of 1884, 1889, 1905, 1906, 1933, and 1944 between the United States and Mexico, and to comply with the Act approved August 19, 1935, as amended (22 U. S. C. 277-277d), including operation and maintenance of the Rio Grande rectification, canalization, flood control, bank protection, boundary fence, and sanitation projects; examinations, preliminary surveys, and investigations; detail plan preparation and construction (including surveys and operation and maintenance and protection during construction); and Rio Grande emergency flood protection; construction and operation of gaging stations; purchase of map-reproduction machines and other equipment and machinery; personal services in the District of Columbia; services in accordance with section 15 of the Act of August 2, 1946, Public Law 600, at rates for individuals not in excess of \$100 per diem; travel expenses, including, in the discretion of the Commissioner, expenses (not to exceed \$500) of attendance at meetings of organizations concerned with the activities of the International Boundary and Water Commission which may be necessary for the efficient discharge of the responsibilities of the Commission; printing and binding; purchase of eighteen (thirteen for replacement only) passenger motor vehicles; hire, with or without personal services, of work animals, and animal-drawn and motor-propelled vehicles and equipment; acquisition by donation, purchase, or condemnation, of real and personal property, including expenses of abstracts and certificates of title; purchase of ice and drinking water; inspection of equipment, supplies, and materials by contract; drilling and testing of foundations and dam sites, by contract if deemed necessary, purchase of planographs and lithographs, and leasing of private property to remove therefrom sand, gravel, stone, and other materials, without regard to section 3709 of the Revised Statutes, as amended (41 U. S. C. 5); as follows:

**Salaries and expenses:** For salaries and expenses, regular boundary activities, including examinations, preliminary surveys, and investigations, \$950,000.

**Construction:** For detail plan preparation and construction of projects authorized by the Convention concluded February 1, 1933, between the United States and Mexico, the Acts approved August 19, 1935, as amended (22 U. S. C. 277-277d), August 29, 1935 (Public Law 392), June 4, 1936 (Public Law 648), June 28, 1941 (22 U. S. C. 277f), and

the projects stipulated in the treaty between the United States and Mexico signed at Washington on February 3, 1944, \$4,000,000, to be immediately available, and to remain available until expended: *Provided*, That no expenditures shall be made for the Lower Rio Grande flood-control project for construction on any land, site, or easement in connection with this project except such as has been acquired by donation and the title thereto has been approved by the Attorney General of the United States: *Provided further*, That expenditures for the Rio Grande bank-protection project shall be subject to the provisions and conditions contained in the appropriation for said project as provided by the Act approved April 25, 1945 (Public Law 40): *Provided further*, That no expenditures shall be made for the acquisition of lands or easements for sites for boundary fences except for procurement of abstracts or certificates of title, payment of recording fees, and examination of titles: *Provided further*, That unexpended balances of appropriations for construction under the International Boundary and Water Commission available for the fiscal year 1947 shall be merged with this appropriation and shall continue available until expended.

Rio Grande emergency flood protection: For emergency flood-control work, including protection, reconstruction, and repair of all structures under the jurisdiction of the International Boundary and Water Commission, United States and Mexico, threatened or damaged by floodwaters of the Rio Grande, which have heretofore been authorized and erected under the provisions of treaties between the United States and Mexico, or in pursuance of Federal laws authorizing improvements on the Rio Grande, \$25,000, to be immediately available, to be merged with the unobligated balance of the appropriation for this purpose in the Department of State Appropriation Act 1947, and to remain available until expended.

Appropriations for the International Boundary and Water Commission, United States and Mexico, are hereby made available for payment of claims pursuant to part 2 of the Federal Tort Claims Act of 1946, Public Law 601.

Salaries and expenses, American sections, international commissions: For necessary expenses to enable the President to perform the obligations of the United States under certain treaties between the United States and Great Britain in respect to Canada, including personal services in the District of Columbia; stenographic reporting services by contract; printing and binding; and hire of passenger motor vehicles; as follows: For the International Joint Commission, United States and Canada, under the terms of the treaty between the United States and Great Britain signed January 11, 1909 (36 Stat. 2448), including the salary of one Commissioner on the part of the United States who shall serve at the pleasure of the President (the other Commissioners to serve in that capacity without compensation therefor); salaries of clerks and other employees appointed by the Commissioners on the part of the United States with the approval solely of the Secretary of State; travel expenses and compensation of witnesses in attending hearings of the Commission at such places in the United States and Canada as the Commission or the American Commissioners shall determine to be necessary, \$37,200; for special and technical investigations in connection with matters falling within the jurisdiction of the International Joint Commission, United States and Canada, including the purchase of three passenger automobiles; and the Secretary of State is authorized to transfer to any department or independent establishment of the Government with the consent of the head thereof, any part of this amount for direct expenditure by such department or establishment for the purposes set forth in this

59 Stat. 1219.

Lower Rio Grande  
flood-control project.

59 Stat. 89.

International  
Boundary and Water  
Commission.

60 Stat. 455.

60 Stat. 843.  
28 U. S. C. §§ 921,  
922.International Joint  
Commission, U. S.  
and Canada.

Transfer of funds.

International Boundary Commission, U. S. and Canada and Alaska.

International Fisheries Commission.

International Pacific Salmon Fisheries Commission.

51 Stat. 178.

53 Stat. 1290.

Experiment and demonstration stations.

Printing and binding.

60 Stat. 810.  
5 U. S. C. § 55a.

Traveling expenses.

44 Stat. 688.  
5 U. S. C. § 821.

Transportation of remains.

Transportation expenses, etc.

clause, \$191,017; for the International Boundary Commission, United States and Canada and Alaska, under the terms of the treaty between the United States and Great Britain in respect to Canada, signed February 24, 1925 (44 Stat. 2102), including the completion of such remaining work as may be required under the award of the Alaskan Boundary Tribunal and existing treaties between the United States and Great Britain; commutation of subsistence to employees while on field duty not to exceed \$4 per day each, but not to exceed \$3 per day each when a member of a field party and subsisting in camp; hire of freight and passenger motor vehicles from temporary field employees; and for payment for timber necessarily cut in keeping the boundary line clear, \$57,700; for the share of the United States of the expenses of the International Fisheries Commission under the convention between the United States and Canada, concluded January 29, 1937 (50 Stat. 1351), \$30,000; for the share of the United States of the expenses of the International Pacific Salmon Fisheries Commission, under the convention between the United States and Canada, concluded May 26, 1930 (50 Stat. 1355), including the purchase of four passenger automobiles, \$99,500, in all, \$415,417, to be disbursed under the direction of the Secretary of State.

Cooperation with the American Republics: For expenses necessary to enable the Secretary of State to meet the obligations of the United States under the Convention for the Promotion of Inter-American Cultural Relations between the United States and the other American Republics, signed at Buenos Aires, December 23, 1936, and to carry out the purposes of the Act entitled "An Act to authorize the President to render closer and more effective the relationship between the American Republics", approved August 9, 1939 (22 U. S. C. 501), and to supplement appropriations available for carrying out other provisions of law authorizing related activities, including the establishment and operation of agricultural and other experiment and demonstration stations in other American countries, on land acquired by gift or lease for the duration of the experiments and demonstrations, and construction of necessary buildings thereon; such expenses to include personal services in the District of Columbia; not to exceed \$150,000 for printing and binding; temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); not to exceed \$5,000 for entertainment; not to exceed \$5,000 for expenses of attendance at meetings or conventions of societies and associations concerned with the furtherance of the purposes hereof; and, under such regulations as the Secretary of State may prescribe, tuition, compensation, allowances and enrollment, laboratory, insurance, and other fees incident to training, including traveling expenses in the United States and abroad in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended, of educational, professional, and artistic leaders, and professors, students, internes, and persons possessing special scientific or other technical qualifications, who are citizens of the United States or the other American Republics; and the actual expenses of preparing and transporting to their former homes the remains of such persons, not United States Government employees, who may die while away from their homes under the authority of this appropriation: *Provided*, That the Secretary of State is authorized under such regulations as he may adopt, to pay the actual transportation expenses and not to exceed \$10 per diem in lieu of subsistence and other expenses, of citizens of the other American Republics while traveling in the Western Hemisphere, without regard to the Standardized Government Travel Regulations, and to make advances of funds notwithstanding section 3648 of the Revised Statutes

as amended by the Act of August 2, 1946, Public Law 600; traveling expenses of members of advisory committees in accordance with section 2 of said Act of August 9, 1939; hire of passenger motor vehicles; rental of boats, \$3,900,000; and the Secretary of State, or such official as he may designate is hereby authorized, in his discretion, and, subject to the approval of the President, to transfer from this appropriation to other departments, agencies, and independent establishments of the Government for expenditure in the United States and in the other American Republics any part of this amount for direct expenditure by such department or independent establishment for the purposes of this appropriation and any such expenditures may be made under the specific authority herein contained or under the authority governing the activities of the department, agency, or independent establishment to which amounts are transferred: *Provided further*, That this appropriation shall be available to make contracts with, and grants of money or property to, nonprofit institutions in the United States and the other American Republics, including the distribution of materials and other services in the fields of education and travel, arts and sciences, publications, the radio, the press, and the cinema.

**Philippine rehabilitation:** For expenses necessary to carry out the provisions of title III and V of the Philippine Rehabilitation Act of 1946 (Public Law 370, hereinafter called the Act), without regard, outside the United States, to section 3709 of the Revised Statutes, as amended, including personal services in the District of Columbia, and employment of personnel outside the continental United States without regard to civil-service and classification laws; temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); purchase of nine and hire of passenger motor vehicles; hire, maintenance, operation, and repair of aircraft; purchase of health and accident insurance for trainees (for whom such benefits are not otherwise allowed) while in the United States in pursuance of training programs; actual expenses of preparing and transporting to their former homes the remains of trainees who may die while away from such homes under the authority of this Act; advances of funds to trainees, such advancements to be deducted from allowances due to such trainees; not to exceed \$35,500 for a health-service program as authorized by the Act of August 8, 1946 (Public Law 658); not to exceed \$1,100 for deposit in the general fund of the Treasury for cost of handling penalty mail as required by the Act of June 28, 1944; printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111); expenses of attendance at meetings of organizations concerned with the furtherance of the purposes hereof; compilation, printing, and distribution, in the Philippine Islands or the United States, of charts, reports, and publications pertaining to the various programs set forth in the Act; acquisition of sites for the construction of additional buildings, and furnishing and equipping of buildings acquired or constructed, under section 501 of the Act; and acquisition of quarters in the Philippines to house employees of the United States Government, including military personnel, by purchase, rental (without regard to section 322 of the Act of June 30, 1932, as amended (40 U. S. C. 278a)), lease, or construction and necessary repairs and alterations to and maintenance of such quarters; amounts as follows: (a) For carrying out the provisions of sections 302, 303, 304, and 305 of title III of the Act, \$40,286,150; and (b) for carrying out sections 306, 307, 308, 309, 310, and 311 of said title III, \$2,213,850; in all, \$42,500,000, to be available on July 1, 1947, and to remain available until June 30, 1950: *Provided*, That no part of this appropriation

60 Stat. 809.  
31 U. S. C. § 529.

53 Stat. 1290.  
22 U. S. C. § 502.  
Transfer of funds.

Grants to nonprofit  
institutions.

60 Stat. 135, 140.  
50 U. S. C. app.  
§§ 1781-1791, 1801.  
41 U. S. C. § 5.

60 Stat. 810.  
5 U. S. C. § 55a.

Trainees.

60 Stat. 903.  
5 U. S. C. § 150.

58 Stat. 394.  
39 U. S. C. §§ 321c-  
321h.  
Post, p. 450.  
Printing and bind-  
ing.  
40 Stat. 1270.

60 Stat. 140.  
50 U. S. C. app.  
§ 1801.  
Acquisition of quar-  
ters.

47 Stat. 412.

60 Stat. 135, 136.  
50 U. S. C. app.  
§§ 1782-1785.  
60 Stat. 137-140.  
50 U. S. C. app.  
§§ 1786-1791.  
Restrictions.

60 Stat. 128.  
50 U. S. C. app.  
§ 1761 note.

60 Stat. 137.  
50 U. S. C. app.  
§ 1787(a).  
Contracts with non-profit institutions.

60 Stat. 137.  
50 U. S. C. app.  
§ 1786(b).  
Construction of diplomatic, etc., establishments.

52 Stat. 441.  
Transfer of funds.

60 Stat. 135.  
50 U. S. C. app.  
§§ 1782-1785.

Transfer of funds.

Contracts in foreign countries.

Transportation of effects.

49 Stat. 2015.

Termination of employment.  
5 U. S. C. § 652.

Citation of title.

shall be available for engaging in any phase of activity or for undertaking any phase of activity authorized by the Philippine Rehabilitation Act of 1946 that would result in obligating the Government of the United States in any sense or respect to the future payment of amounts in excess of the amounts authorized to be appropriated in such Act, nor shall any part of this appropriation be available for expanding any public works project authorized by law to be replaced or rehabilitated beyond such as may be justified by sound engineering practice and which can be accomplished within the amount authorized to be appropriated: *Provided further*, That the total amount that may be obligated for the entire accomplishment of section 307 (a) of title III of such Act shall not exceed \$8,000,000: *Provided further*, That this appropriation shall be available to make contracts with nonprofit institutions in the United States and the Philippines in connection with training programs: *Provided further*, That sums from the foregoing applicable appropriations may be transferred directly to and merged with the appropriations contemplated in section 306 (b) of the Act to reimburse said latter appropriations for expenditures therefrom for the purpose hereof: *Provided further*, That the construction of diplomatic and consular establishments of the United States in the Philippine Islands shall be without regard to the proviso contained in twenty-two United States Code 295a: *Provided further*, That the Secretary of State, or such official as he may designate, is authorized to transfer from any of the foregoing amounts to any department or independent establishment of the Government for participation in the foregoing programs, sums for expenditure by such department or establishment for the purposes hereof, and sums so transferred shall be available for expenditure in accordance with the provisions hereof and, to the extent determined by the Secretary of State, in accordance with the law governing expenditures of the department or establishment to which transferred: *Provided further*, That transfers of funds to participating agencies for the programs set forth in sections 302 to 305 of the Act shall be approved by the President prior to such transfer.

Information and cultural program—Liquidation: To enable the Department of State to meet the necessary expenses incident to the termination, suspension, or curtailment of certain international information and cultural activities, \$1,430,000: *Provided*, That the Secretary of State may, in his discretion, transfer the funds herein appropriated to any other appropriation or appropriations under this title for merger with such appropriation or appropriations for the purposes hereof, and such funds shall be available for obligation and expenditure under the authority contained in the appropriation to which transferred.

Contracts entered into in foreign countries involving expenditures from any of the foregoing appropriations shall not be subject to the provisions of section 3741 of the Revised Statutes (41 U. S. C. 22).

The provision of law prescribing the use of vessels of United States registry by any officer or employee of the United States (46 U. S. C. 1241) shall not apply to any travel or transportation of effects payable from funds appropriated, allocated, or transferred to the Secretary of State or the Department of State.

Notwithstanding the provisions of section 6 of the Act of August 24, 1912 (37 Stat. 555), or the provisions of any other law, the Secretary of State may, in his absolute discretion, on or before June 30, 1948, terminate the employment of any officer or employee of the Department of State or of the Foreign Service of the United States whenever he shall deem such termination necessary or advisable in the interests of the United States.

This title may be cited as the "Department of State Appropriation Act, 1948".

## TITLE II—DEPARTMENT OF JUSTICE

## LEGAL ACTIVITIES AND GENERAL ADMINISTRATION

For personal services in the District of Columbia, including a health service program as authorized by the Act of August 8, 1946, Public Law 658, and for special attorneys and special assistants to the Attorney General as follows:

For the offices of the Attorney General, Solicitor General, Assistant to the Attorney General, Assistant Solicitor General, Pardon Attorney, Board of Immigration Appeals, and Board of Parole, \$772,500.

For the Administrative Division, \$1,275,000.

For the Tax Division, \$810,000.

For the Criminal Division, \$890,000

For the Claims Division, \$1,500,000.

Not to exceed \$250,000 of the foregoing appropriations for personal services shall be available for the employment, on duties properly chargeable to each of said appropriations, of special assistants to the Attorney General without regard to the Classification Act of 1923, as amended.

Contingent expenses: For miscellaneous and emergency expenses authorized or approved by the Attorney General or his Administrative Assistant, including stenographic reporting services by contract as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), a health service program as authorized by the Act of August 8, 1946 (Public Law 658), and examination of estimates of appropriation in the field; \$205,000.

Traveling expenses: For necessary traveling expenses not otherwise provided for, \$140,000.

Printing and binding: For printing and binding, \$470,000.

Penalty mail: For deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944, \$140,000.

Damage claims: For payment of claims pursuant to part 2 of the Federal Tort Claims Act, \$25,000.

Salaries and expenses, Customs Division: For necessary expenses, including travel expenses and employment of special attorneys and expert witnesses at such rates of compensation as may be authorized or approved by the Attorney General or his Administrative Assistant, \$187,000.

Salaries and expenses, Antitrust Division: For expenses necessary for the enforcement of antitrust and kindred laws, including traveling expenses, services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), and personal services in the District of Columbia, \$2,400,000, of which \$250,000 shall be available exclusively for activities in connection with railroad reparations cases: *Provided*, That none of this appropriation shall be expended for the establishment and maintenance of permanent regional offices of the Antitrust Division.

Examination of judicial offices: For the investigation of the official acts, records, and accounts of marshals, attorneys, clerks of the United States courts and Territorial courts, probation officers, and United States commissioners, for which purpose all the official papers, records, and dockets of said officers, without exception, shall be examined by the agents of the Attorney General at any time; and also the official acts, records, and accounts of referees and trustees of such courts; travel expenses, \$95,000, to be expended under the direction of the Attorney General.

Salaries and expenses, Lands Division: For personal services in the District of Columbia and for other necessary expenses, including travel

Department of Justice Appropriation Act, 1948.

*Ante*, pp. 118, 187, 188, 245; *post*, pp. 361, 435, 608, 609, 700.

60 Stat. 903.

5 U. S. C. § 150.

Special assistants to Attorney General.

42 Stat. 1488.

5 U. S. C. § 661 *et seq.*

60 Stat. 810.

5 U. S. C. § 55a.

60 Stat. 903.

5 U. S. C. § 150.

58 Stat. 394.

39 U. S. C. §§ 321c-

321h.

*Post*, p. 450.

60 Stat. 843.

28 U. S. C. §§ 921,

922.

*Supra*.

Permanent regional offices of Antitrust Division.

60 Stat. 810.  
5 U. S. C. § 55a.

expenses, services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600) and notarial fees or like services, \$2,500,000.

60 Stat. 903.  
5 U. S. C. § 150.  
*Supra.*

Miscellaneous salaries and expenses, field: For salaries not otherwise specifically provided for, and such other expenses for the field service, including travel expenses, a health service program as authorized by the Act of August 8, 1946 (Public Law 658), temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), and notarial fees or like services; firearms and ammunition therefor; \$500,000.

Salaries and expenses of district attorneys, and so forth: For salaries, travel, and other expenses of United States district attorneys, their regular assistants and other employees, including the office expenses of United States district attorneys in Alaska, and for salaries of regularly appointed clerks to United States district attorneys for services rendered during vacancy in the office of the United States district attorney, \$5,200,000.

Foreign counsel.

Compensation of special attorneys and assistants to the Attorney General and to United States district attorneys not otherwise provided for employed by the Attorney General to aid in special matters and cases, and for payment of foreign counsel employed by the Attorney General in special cases, \$100,000, no part of which, except for payment of foreign counsel, shall be used to pay the compensation of any persons except attorneys duly licensed and authorized to practice under the laws of any State, Territory, or the District of Columbia: *Provided*, That the amount paid as compensation out of the funds herein appropriated to any person employed hereunder shall not exceed \$10,000 per annum: *Provided further*, That reports be submitted to the Congress on the 1st day of July and January showing the names of the persons employed hereunder, the annual rate of compensation or amount of any fee paid to each, together with a description of their duties.

Salary limitation.

Reports to Congress.

Services in Alaska.

Transfer of prisoners  
to narcotic farms.

Salaries and expenses of marshals, and so forth: For salaries, fees, and expenses of United States marshals, deputy marshals, and clerical assistants, including services rendered in behalf of the United States or otherwise; services in Alaska in collecting evidence for the United States when so specifically directed by the Attorney General; traveling expenses, including the actual and necessary expenses incident to the transfer of prisoners in the custody of United States marshals to narcotic farms; purchase of five (for replacement only) station wagons, busses, and vans at not to exceed \$3,500 each; \$5,150,000.

Authorization by  
Attorney General.

Limitation on at-  
tendance fees.

Travel expenses of  
Federal employees.

Fees of witnesses: For expenses, mileage, and per diems of witnesses and for per diems in lieu of subsistence, such payments to be made on the certification of the attorney for the United States and to be conclusive as provided by section 846, Revised Statutes (28 U. S. C. 577), \$700,000: *Provided*, That not to exceed \$25,000 of this amount shall be available for such compensation and expenses of witnesses or informants as may be authorized or approved by the Attorney General or his Administrative Assistant, which approval shall be conclusive: *Provided further*, That no part of the sum herein appropriated shall be used to pay any witness more than one attendance fee for any one calendar day: *Provided further*, That whenever an employee of the United States performs travel in order to appear as a witness on behalf of the United States in any case involving the activity in connection with which such person is employed, his travel expenses in connection therewith shall be payable from the appropriation otherwise available for the travel expenses of such employee.

Pay and expenses of bailiffs: For pay of bailiffs, not exceeding one bailiff in each court, and meals and lodging for bailiffs or deputy

marshals in attendance upon juries when ordered by the court, \$50,000: *Provided*, That none of this appropriation shall be used for the pay of bailiffs when deputy marshals or marshals or court criers are available for the duties ordinarily executed by bailiffs, the fact of unavailability to be determined by the certificate of the marshal.

Restriction on use of funds.

#### FEDERAL BUREAU OF INVESTIGATION

Salaries and expenses, detection and prosecution of crimes: For expenses necessary for the detection and prosecution of crimes against the United States; for the protection of the person of the President of the United States; the acquisition, collection, classification and preservation of identification and other records and their exchange with the duly authorized officials of the Federal Government, of States, cities, and other institutions; for such other investigations regarding official matters under the control of the Department of Justice and the Department of State as may be directed by the Attorney General; including personal services in the District of Columbia; a health service program as authorized by the Act of August 8, 1946, Public Law 658; purchase of five hundred (for replacement only) and hire of passenger motor vehicles; purchase at not to exceed \$10,000, for replacement only, of one armored motor vehicle; firearms and ammunition; not to exceed \$10,000 for taxicab hire to be used exclusively for the purposes set forth in this paragraph; traveling expenses, including expenses, in an amount not to exceed \$4,500, of attendance at meetings concerned with the work of such Bureau when authorized in writing by the Attorney General; not to exceed \$1,500 for membership in the International Criminal Police Commission; payment of rewards when specifically authorized by the Attorney General for information leading to the apprehension of fugitives from justice; and not to exceed \$70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General, who shall make a certificate of the amount of such expenditure as he may think it advisable not to specify, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended; \$34,900,000: *Provided*, That the compensation of the Director of the Bureau shall be \$14,000 per annum so long as the position is filled by the present incumbent: *Provided further*, That, during the fiscal year 1948, such funds as may be determined by the Atomic Energy Commission and the Federal Bureau of Investigation to be necessary to carry out the duties imposed on that Bureau by Public Law 585, approved August 1, 1946, shall be transferred from funds available to the Atomic Energy Commission and the amounts so transferred shall be merged with the funds provided under this head.

Post, p. 700.

Protection of the President.

60 Stat. 903.  
5 U. S. C. § 150.

Traveling expenses.

Rewards for information.

Emergencies of confidential character.

Compensation of Director.

60 Stat. 755.  
42 U. S. C. §§ 1801-1810.

Reserve for certain emergencies.

Salaries and expenses for certain emergencies: For an additional amount for salaries and expenses, including the purposes and under the conditions specified in the preceding paragraph, \$100,000, to be held as a reserve for emergencies arising in connection with kidnapping, extortion, bank robbery, and to be released for expenditure in such amounts and at such times as the Attorney General may determine.

None of the funds appropriated for the Federal Bureau of Investigation shall be used to pay the compensation of any civil-service employee.

Compensation of civil-service employees.

#### IMMIGRATION AND NATURALIZATION SERVICE

Salaries and expenses, Immigration and Naturalization Service: For expenses, not otherwise provided for, necessary for the administration and enforcement of the laws relating to immigration,



60 Stat. 903.  
5 U. S. C. § 150.

Mileage and fees of  
witnesses.

60 Stat. 810.  
5 U. S. C. § 55a.

Compensation for  
overtime services.

59 Stat. 295.  
5 U. S. C. § 901 *et seq.*  
*Post*, p. 727.

60 Stat. 216.  
5 U. S. C. § 902 *et seq.*  
Reimbursement of  
cooperating agencies.

Alien enemies.

Use of privately  
owned horses.

Interpreters.

naturalization, and alien registration; personal services in the District of Columbia; a health service program as authorized by the Act of August 8, 1946, Public Law 658; care, detention, maintenance, transportation, and other expenses incident to the deportation, removal, and exclusion of aliens in the United States and to, through, or in foreign countries; payment of rewards for information leading to the apprehension or conviction of violators of the immigration laws; traveling expenses, including not to exceed \$5,000 for attendance at meetings concerned with the purposes of this appropriation; purchase for replacement only of two hundred and twenty-five and hire of passenger motor vehicles; purchase (not to exceed four), maintenance, and operation of aircraft; firearms and ammunition; citizenship textbooks for free distribution; refunds of head tax, maintenance bills, immigration fines, and other items properly returnable, except deposits of aliens who become public charges and deposits to secure payment of fines and passage money; mileage and fees of witnesses subpoenaed on behalf of the United States; stenographic reporting services by contract as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); and operation, maintenance, remodeling, and repair of buildings and the purchase of equipment incident thereto; \$27,000,000: *Provided*, That none of the funds appropriated for the Immigration and Naturalization Service shall be used to pay compensation for overtime services other than as provided in the Federal Employees Pay Act of 1945 (Public Law 106, Seventy-ninth Congress, first session) and the Federal Employees Pay Act of 1946 (Public Law 390, Seventy-ninth Congress, second session): *Provided further*, That the Attorney General may transfer to, or reimburse, any other department, agency, or office of Federal, State, or local governments, funds in such amounts as may be necessary for salaries and expenses incurred by them in rendering authorized assistance to the Department of Justice in connection with the administration and enforcement of said laws; for all necessary expenses, incident to the maintenance, care, detention, surveillance, parole, and transportation of alien enemies and their wives and dependent children, including transportation and other expenses in the return of such persons to place of bona fide residence or to such other place as may be authorized by the Attorney General, advance of cash to aliens for meals and lodging while en route, and for the payment of wages to alien enemy detainees for work performed under conditions prescribed by the Geneva Convention: *Provided further*, That the Commissioner of Immigration and Naturalization may contract with officers and employees for the use, on official business, of privately owned horses: *Provided further*, That provisions of law prohibiting or restricting the employment of aliens in the Government service shall not apply to the employment of interpreters in the Immigration and Naturalization Service (not to exceed ten permanent and such temporary employees as are required from time to time) where competent citizen interpreters are not available.

#### FEDERAL PRISON SYSTEM

Salaries and expenses, Bureau of Prisons: For salaries and travel expenses in the District of Columbia and elsewhere in connection with the supervision of the maintenance and care of United States prisoners, \$420,000: *Provided*, That not to exceed \$3,500 of this amount shall be available for expenses of attendance at meetings concerned with the work of the Bureau of Prisons when incurred on the written authorization of the Attorney General.

Salaries and expenses, penal and correctional institutions: For expenses necessary for the support of prisoners, and the maintenance

and operation of Federal penal and correctional institutions and the construction of buildings at prison camps, interment or transporting remains of deceased inmates to their relatives or friends in the United States, transporting persons released from custody of the United States to place of conviction or arrest or place of bona fide residence within the United States or to such place within the United States as may be authorized by the Attorney General, and the furnishing of suitable clothing and, in the discretion of the Attorney General, an amount of money not to exceed \$30, regardless of length of sentence; including purchase of fifteen passenger motor vehicles; purchase of one bus at not to exceed \$5,000; not to exceed \$10,000 for expenses of attendance at meetings concerned with the work of the Federal Prison System when authorized in writing by the Attorney General; traveling expenses; furnishing of uniforms and other distinctive wearing apparel necessary for employees in the performance of their official duties; not to exceed \$35,000 for the acquisition of land adjacent to any Federal penal or correctional institution when, in the opinion of the Attorney General, the additional land is essential to the protection of the health or safety of the institution; firearms and ammunition; purchase and exchange of farm products and livestock; \$18,646,730: *Provided*, That section 3709 of the Revised Statutes, as amended, shall not be construed to apply to any purchase or service rendered under this appropriation when the aggregate amount involved does not exceed \$500.

Motor vehicles, etc.

Acquisition of land.

41 U. S. C. § 5.

Medical and hospital service: For medical relief for inmates of penal and correctional institutions and appliances necessary for patients including personal services in the District of Columbia and furnishing and laundering of uniforms and other distinctive wearing apparel necessary for the employees in the performance of their official duties; \$1,400,000: *Provided*, That there may be transferred to the appropriation "Pay, and so forth, commissioned officers, Public Health Service", \$106,850 without limitation accounts, and to other appropriations of the Public Health Service such amounts as may be necessary, in the discretion of the Attorney General for direct expenditure by that Service.

Transfer of funds.

Construction of buildings and facilities: For construction, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions and all necessary expenses incident thereto, to be expended under the direction of the Attorney General by contract or purchase of material and hire of labor and services and utilization of labor of United States prisoners as the Attorney General may direct, \$162,000.

Support of United States prisoners: For support of United States prisoners in non-Federal institutions and in the Territory of Alaska, including necessary clothing and medical aid; expenses of transporting persons released from custody of the United States to place of conviction or place of bona fide residence in the United States, or such other place within the United States as may be authorized by the Attorney General, and the furnishing to them of suitable clothing and, in the discretion of the Attorney General, an amount of money not to exceed \$30, regardless of length of sentence; and including rent, repair, alteration, and maintenance of buildings and the maintenance of prisoners therein, occupied under authority of sections 4 and 5 of the Act of May 14, 1930 (18 U. S. C. 753c, 753d); support of prisoners becoming insane during imprisonment and who continue insane after expiration of sentence, who have no relatives or friends to whom they can be sent; shipping remains of deceased prisoners to their relatives or friends in the United States and interment of deceased prisoners whose remains are unclaimed; expenses incurred in identifying, pursuing, and returning escaped prisoners and for rewards for their capture;

U. S. prisoners in non-Federal institutions and in Alaska.

46 Stat. 326.

and for repairs, betterments, and improvements of United States jails, including sidewalks; \$1,750,000.

#### OFFICE OF ALIEN PROPERTY

40 Stat. 411.  
50 U. S. C. app.  
§ 1 *et seq.*  
*Post*, pp. 784, 786.  
Administrative ex-  
penses.

60 Stat. 810.  
5 U. S. C. § 55a.

Report to Congress.

Payment of per  
diem.

License require-  
ment for attorneys.

Reimbursement to  
U. S.

Procurement of law-  
books, etc.

Citation of title.

Department of  
Commerce Appropri-  
ation Act, 1948.  
*Ante*, pp. 118, 187,  
188, 245; *post*, pp. 361,  
608, 609, 618, 619, 698,  
699, 943.  
*Post*, p. 943.

60 Stat. 810.  
5 U. S. C. § 55a.

*Post*, pp. 618, 698.

Office of Alien Property: The Attorney General, or such officer as he may designate, is hereby authorized to pay out of any funds or other property or interest vested in him or transferred to him pursuant to or with respect to the Trading with the Enemy Act of October 6, 1917, as amended (50 U. S. C. App.), necessary expenses incurred in carrying out the powers and duties conferred on the Attorney General pursuant to said Act: *Provided*, That not to exceed \$3,700,000 shall be available for the entire fiscal year 1948 for the general administrative expenses of the Office of Alien Property, including the salary of the Director of the Office at \$10,000 per annum; printing and binding; not to exceed \$5,500 for deposit in the general fund of the Treasury for cost of penalty mail; rent in the District of Columbia; not to exceed \$70,000 for temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); personal services in the District of Columbia; traveling expenses, including attendance at meetings of organizations concerned with the work of the agency: *Provided further*, That on or before November 1, 1947, the Attorney General shall make a report to the Appropriations Committees of the Senate and the House of Representatives giving detailed information on all administrative and nonadministrative expenses incurred during the fiscal year 1947, in connection with the activities of the Office of Alien Property.

None of the money appropriated by this title shall be used to pay any witness or bailiff more than one per diem for any one day's service, even though he serves in more than one of such capacities on the same day.

None of the funds appropriated by this title may be used to pay the compensation of any person hereafter employed as an attorney unless such person shall be duly licensed and authorized to practice as an attorney under the laws of a State, Territory, or the District of Columbia.

Sixty per centum of the expenditures for the offices of the United States district attorney and the United States marshal for the District of Columbia from all appropriations in this title shall be reimbursed to the United States from any funds in the Treasury of the United States to the credit of the District of Columbia.

In the procurement of lawbooks, books of reference, and periodicals, the Department of Justice is authorized to exchange or sell similar items and apply the exchange allowances or proceeds of sales in such cases in whole or in part payment therefor.

This title may be cited as the "Department of Justice Appropriation Act, 1948".

### TITLE III—DEPARTMENT OF COMMERCE

#### OFFICE OF THE SECRETARY

Salaries and expenses: For necessary expenses of the Office of the Secretary of Commerce (hereafter in this title referred to as the Secretary) including personal services in the District of Columbia; services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), at rates for individuals not to exceed \$50 per diem; teletype news service (not exceeding \$1,000); purchase of one passenger motor vehicle (not exceeding \$3,000); \$944,483.

Printing and binding: For printing and binding for the Department, except for technical and scientific services in the Office of the

Secretary and for the Patent Office, the Civil Aeronautics Board, and work done at the field printing plants of the Weather Bureau authorized by the Joint Committee on Printing, in accordance with the Act approved March 1, 1919 (44 U. S. C. 111, 220), \$1,000,000.

Technical and scientific services: For necessary expenses in the performance of activities and services relating to technological development as an aid to business in the development of foreign and domestic commerce, including all the objects for which the appropriation "Salaries and expenses, Office of the Secretary", is available (not to exceed \$25,000), for services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), and not to exceed \$60,000 for printing and binding, \$790,000: *Provided further*, That the Secretary is authorized, upon request of any public or private organization or individual, to reproduce by appropriate process, independently or through any other agency of the Government, any scientific or technical report, document, or descriptive material, foreign or domestic, which has been released for public dissemination, and to sell such reproductions at a price not less than the estimated total cost of reproducing and disseminating same as may be determined by the Secretary, the moneys received from such sale to be deposited in a special account in the Treasury, such account to be available for reimbursing any appropriation which may have borne the expense of such reproduction and dissemination and making refunds to organizations and individuals when entitled thereto.

Penalty mail, Department of Commerce: For deposit in the general fund of the Treasury for cost of penalty mail of the Department of Commerce, except the Civil Aeronautics Board, as required by the Act of June 28, 1944 (39 U. S. C. 321d), \$650,000.

#### BUREAU OF THE CENSUS

Salaries and expenses, age and citizenship certification: For expenses necessary for searching census records and supplying information incident to carrying out the provisions of the Social Security Act, and other statutory requirements with respect to age and citizenship certification, including personal services at the seat of government, travel, microfilm, and binding records, and photographic supplies, \$100,000: *Provided*, That the procedure hereunder for the furnishing from census records of evidence for the establishment of age of individuals shall be pursuant to regulations approved jointly by the Secretary and the Social Security Board.

Current census statistics: For expenses necessary for collecting, compiling, and publishing current census statistics provided for by law; temporary employees at rates to be fixed by the Director of the Census without regard to the Classification Act; the cost of obtaining State, municipal, and other records; preparation of monographs on census subjects and other work of specialized character by contract; purchase and rental of office furniture and equipment including mechanical and electrical tabulating equipment and other labor-saving devices; tabulating cards and continuous form tabulating paper; \$5,700,000, of which amount not to exceed \$4,500,000 may be expended at the seat of government.

Seventeenth decennial census: For expenses necessary preparatory to the taking of the seventeenth decennial census in accordance with law (13 U. S. C. 201-219), including printing and binding, \$200,000, to remain available until June 30, 1949.

Census of manufactures: For expenses necessary for collecting, compiling, and publishing statistics relating to manufacturing industries in accordance with law (13 U. S. C. 217), including printing and binding, \$4,000,000, to remain available until June 30, 1949.

40 Stat. 1270.  
44 U. S. C. § 4.

60 Stat. 810.  
5 U. S. C. § 55a.  
Scientific or technical reports, etc.

*Post*, p. 619.

58 Stat. 394.  
39 U. S. C. §§ 321c-321h.  
*Post*, p. 450.

49 Stat. 620.  
42 U. S. C. §§ 301-1307.  
*Post*, pp. 454, 794.

Procedure for furnishing evidence of age.

Temporary employees.  
42 Stat. 1488.  
5 U. S. C. § 661 *et seq.*

46 Stat. 21.

46 Stat. 25.

42 Stat. 1488.  
5 U. S. C. § 661 *et*  
*seq.*

Personal services at  
seat of government.

42 Stat. 1488.  
5 U. S. C. § 661 *et*  
*seq.*

General administration, Bureau of the Census: For expenses necessary for general administration, including temporary employees at rates to be fixed by the Director of the Census without regard to the Classification Act; purchase (for replacement only) of two passenger motor vehicles; purchase, construction, repair, and rental of tabulating machines and other mechanical or electrical equipment, tabulating cards, and continuous form tabulating paper; \$1,240,000.

The foregoing appropriations "Seventeenth Decennial Census" and "Census of Manufactures" shall be available for personal services at the seat of government and for personal services by contract or otherwise at rates to be fixed by the Director of the Census without regard to the Classification Act, and funds from said appropriations for administrative expenses may be transferred to the appropriation "General Administration, Bureau of the Census."

#### CIVIL AERONAUTICS ADMINISTRATION

*Post*, p. 619.

52 Stat. 973.  
49 U. S. C. § 401 *et*  
*seq.*

Operation and main-  
tenance of aircraft.

Motor vehicles.

Transfer of aircraft,  
etc.

Crediting of funds  
from States, etc.

*Post*, p. 619.

Availability of  
funds.  
60 Stat. 466.

Emergency repairs,  
etc.

Salaries and expenses: For necessary expenses of the Civil Aeronautics Administration in carrying out the provisions of the Civil Aeronautics Act of 1938, as amended (49 U. S. C. 401), incident to the enforcement of safety regulations; maintenance and operation of air navigation facilities and air traffic control; furnishing advisory service to States and other public and private agencies in connection with the construction or improvement of airports and landing areas; including personal services in the District of Columbia; the operation and maintenance of two hundred and twenty-six aircraft; contract stenographic reporting services; fees and mileage of expert and other witnesses; purchase of three hundred and twenty-five and hire of passenger motor vehicles; purchase and repair of skis and snowshoes; and salaries and traveling expenses of employees detailed to attend courses of training conducted by the Government or other agencies serving aviation; \$72,923,248, and the War and Navy Departments are authorized to transfer to the Civil Aeronautics Administration without charge aircraft, aircraft engines, parts, flight equipment, and hangar, line, and shop equipment surplus to the needs of such Departments: *Provided*, That there may be credited to this appropriation, funds received from States, counties, municipalities, and other public authorities for expenses incurred in the maintenance and operation of airport traffic control towers.

Establishment of air-navigation facilities: For the acquisition and establishment by contract or purchase and hire of air-navigation facilities, including the equipment of additional civil airways for day and night flying; the construction of additional necessary lighting, radio, and other signaling and communicating structures and apparatus; the alteration and modernization of existing air-navigation facilities; the acquisition of the necessary sites by lease or grant; the construction and furnishing of quarters and related accommodations for officers and employees of the Civil Aeronautics Administration and the Weather Bureau stationed at remote localities not on foreign soil where such accommodations are not otherwise available; personal services in the District of Columbia; and hire of passenger motor vehicles; \$11,109,066: *Provided*, That the appropriation under this head for the fiscal year 1947 is hereby consolidated with and made a part of this appropriation to be disbursed and accounted for as one fund and to remain available until June 30, 1948: *Provided further*, That not to exceed \$200,000 of this appropriation shall be available for emergency repair and replacement of facilities damaged by fire, flood, or storm, not to exceed \$125,000 may be transferred to the appropriation "Salaries and expenses, Civil Aeronautical Administration," for necessary expenses in connection with the transportation by air to and from and within

the Territories and possessions of the United States of materials and equipment secured under this appropriation, and not to exceed \$280,000 may be transferred to the appropriation "Salaries and expenses, Civil Aeronautics Administration," for necessary administrative costs; and the War and Navy Departments are authorized during the fiscal year 1948, to transfer without charge, subject to the approval of the Bureau of the Budget, air navigation and communication facilities, including appurtenances thereto, to the Civil Aeronautics Administration.

Transfer of facilities from War and Navy Departments.

**Technical development:** For expenses necessary in carrying out the provisions of the Civil Aeronautics Act of 1938, as amended (49 U. S. C. 401), relative to such developmental work and service testing as tends to the creation of improved air-navigation facilities, including landing areas, aircraft, aircraft engines, propellers, appliances, personnel, and operation methods, and personal services in the District of Columbia; acquisition of necessary sites by lease or grant; purchase of two passenger motor vehicles and operation and maintenance of five aircraft; \$1,600,000.

52 Stat. 973.  
49 U. S. C. § 401 et seq.

**Maintenance and operation, Washington National Airport:** For expenses incident to the care, operation, maintenance, and protection of the Washington National Airport, including not to exceed \$2,900 for the purchase, cleaning, and repair of uniforms, and not to exceed \$124,900 for the installation of runway lighting, repairs to existing paving, and to pave parking lot, \$1,102,500; and the War and Navy Departments are authorized to transfer to the Administrator without payment therefor a heavy duty fire-crash truck, crane, and such other equipment as is commonly used in ground operation at airports for use of the Washington National Airport.

Washington National Airport.

**Federal-aid airport program, Federal Airport Act:** For carrying out the provisions of the Federal Airport Act of May 13, 1946 (except section 5 (a)), \$32,500,000, to be available until June 30, 1953, of which \$29,000,000 shall be for projects in the States in accordance with sections 5 (b) and 6 of said Act, and \$1,662,500 shall be for projects in Alaska, Hawaii, and Puerto Rico in accordance with section 5 (c): *Provided*, That not to exceed \$1,837,500 of the said \$32,500,000 shall be available as one fund for necessary planning, research, and administrative expenses; including personal services in the District of Columbia; the purchase of fifteen and hire of passenger motor vehicles; of which \$1,837,500 not to exceed \$176,000 may be transferred to the "Salaries and expenses, Civil Aeronautics Administration", to provide for necessary administrative expenses, including the maintenance and operation of aircraft, and \$26,000 may be transferred to the appropriation "Printing and binding, Department of Commerce": *Provided further*, That the appropriation under this head for the fiscal year 1947 is hereby merged with this appropriation.

60 Stat. 170, 172.  
49 U. S. C. §§ 1101-1119.

60 Stat. 172.  
49 U. S. C. §§ 1104(b), 1105.  
49 U. S. C. § 1104(c).  
Planning, research, etc.

Transfer of funds.

60 Stat. 465.

#### CIVIL AERONAUTICS BOARD

**Civil Aeronautics Board, salaries and expenses:** For necessary expenses of the Civil Aeronautics Board, including personal services in the District of Columbia; contract stenographic reporting services; employment of temporary guards on a contract or fee basis without regard to section 3709 of the Revised Statutes, as amended; salaries and traveling expenses of employees detailed to attend courses of training conducted by the Government or industries serving aviation; expenses of examination of estimates of appropriations in the field; not to exceed \$7,500 for deposit in the general fund of the Treasury, for cost of penalty mail; purchase of one passenger motor vehicle and hire, operation, maintenance, and repair of motor vehicles and aircraft; \$3,000,000.

41 U. S. C. § 5.

Repair of motor vehicles and aircraft.

**Printing and binding:** For printing and binding, \$40,000.

## COAST AND GEODETIC SURVEY

Salaries and expenses, departmental: For expenses necessary for the Survey in the District of Columbia, including the compilation of field surveys and other data; the production, purchase, or printing of maps and nautical and aeronautical charts; maintenance of and equipment for an instrument shop and procurement or exchange of woodworking supplies and equipment; motion-picture equipment; chart paper, drafting, photographic, photolithographic, and printing supplies and equipment; instruments (except surveying instruments); stationery for field stations and parties; \$3,300,000, of which not to exceed \$3,000,000 shall be available for personal services.

Field units.

Coast Pilots.

Aeronautical charts.

Extra compensation for duties as bomber or fathometer reader.

Salaries and expenses, field: For expenses necessary to man, equip, repair, and supply vessels and other field units of the Survey engaged in surveys and other operations required for the production of maps, nautical charts, Coast Pilots, tide and current tables, and related publications of all coasts and islands under the jurisdiction of the United States; research in physical hydrography; geodetic surveying operations to provide control for national mapping and for other purposes, magnetic and seismological observations, and the establishment of meridian lines, in the United States and in other regions under the jurisdiction of the United States; gravity surveys in United States territory and adjacent areas; operation of two latitude observatories, including replacement of one observatory and auxiliary buildings; field surveys required for the production of aeronautical charts; purchase of plans and specifications of vessels; lease of sites where necessary and the erection of temporary magnetic and seismological buildings; construction of magnetic and seismological observatory and auxiliary buildings at Fairbanks, Alaska; operation, maintenance, and repair of an airplane for photographic surveys; packing, crating, and transporting personal household effects of commissioned officers when transferred from one official station to another, and of commissioned officers who die on active duty, and funeral expenses of commissioned officers, as authorized by law; extra compensation at not to exceed \$15 per month to each member of the crew of a vessel when assigned duties as bomber or fathometer reader, and at not to exceed \$1 per day for each station to employees of other Federal agencies while observing tides or currents or tending seismographs; and reimbursement, under rules prescribed by the Secretary, of officers of the Coast and Geodetic Survey for food, clothing, medicines, and other supplies furnished for the temporary relief of distressed persons in remote localities and to shipwrecked persons temporarily provided for by them (not to exceed a total of \$500); \$5,000,000.

Death gratuity.

Pay, commissioned officers: For pay and allowances prescribed by law for not to exceed one hundred and seventy-one commissioned officers on the active list and of officers retired in accordance with existing law, including payment of six months' death gratuity as authorized by law, \$1,250,000.

The foregoing appropriations for the Coast and Geodetic Survey shall be available for the purchase (not to exceed twenty-two), maintenance, operation, and repair of vehicles known as station wagons and suburban carry-alls without such vehicles being considered as passenger-carrying vehicles and (not to exceed \$2,500) for temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600).

60 Stat. 810.  
5 U. S. C. § 55a.

## BUREAU OF FOREIGN AND DOMESTIC COMMERCE

Departmental salaries and expenses: For personal services and other necessary expenses of the Bureau of Foreign and Domestic Commerce at the seat of government, including the purchase of commercial and trade reports; temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), (not exceeding \$50,000); \$4,943,537: *Provided*, That expenses, except printing and binding, of field studies or surveys conducted by departmental personnel of the Bureau shall be payable from the amount herein appropriated.

Post, pp. 618, 698.

60 Stat. 810.  
5 U. S. C. § 55 a.  
Field studies or surveys.

Field office service: For expenses necessary to operate and maintain regional, district, and cooperative branch offices for the collection and dissemination of information useful in the development and improvement of commerce throughout the United States and its possessions, including not to exceed \$90,000 for personal services in the District of Columbia, \$2,155,000, of which \$15,000 shall be available exclusively for the study of economic conditions in the Virgin Islands.

Post, p. 620.

Study of economic conditions in the Virgin Islands.

## PATENT OFFICE

Salaries and expenses: For necessary expenses, including personal services in the District of Columbia and the salary of the Commissioner at \$10,000 per annum; temporary services as authorized by the Act of August 2, 1946 (Public Law 600), at rates for individuals not to exceed \$75 per diem (not to exceed \$50,000); expenses of transporting to foreign governments publications of patents issued by the Patent Office; defense of suits instituted against the Commissioner of Patents; travel; production by photolithographic process of copies of weekly issue of drawings of patents and designs, reproduction of copies and drawings and specifications of exhausted patents, designs, trade-marks, foreign patent drawings, and other papers; photo prints of pending application drawings; and other contingent and miscellaneous expenses of the Patent Office: *Provided*, That the headings of the drawings for patented cases may be multigraphed in the Patent Office for the purpose of photolithography; \$8,000,000.

60 Stat. 810.  
5 U. S. C. § 55a.

Multigraphing of headings.

Printing and binding: For printing the weekly issue of patents, designs, trade-marks, exclusive of illustrations; printing, engraving illustrations for, and binding the Official Gazette, including weekly and annual indices; and for miscellaneous printing and binding, \$1,450,000.

## NATIONAL BUREAU OF STANDARDS

Salaries and expenses: For expenses necessary in carrying out the provisions of the Act approved March 3, 1901 (5 U. S. C. 591, 597; 15 U. S. C. 271-278), and Acts supplementary thereto affecting the functions of the Bureau and the functions set forth under the Bureau of Standards in the "Department of Commerce Appropriation Act, 1935", including personal services in the District of Columbia; rental of laboratories in the field, building of temporary experimental structures; expenses of the visiting committee; demonstration of the results of the Bureau's work by exhibits or otherwise as may be deemed most effective; purchase, repair, and cleaning of uniforms for guards; purchase of one passenger motor vehicle; contract stenographic reporting services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), and purchase of reprints from trade journals or other periodicals of articles prepared officially by Government employees.

31 Stat. 1449.

48 Stat. 552.

60 Stat. 810.  
5 U. S. C. § 55a.



Operation and administration: For the general operation and administration of the Bureau; improvement and care of the grounds; plant equipment; maintenance and protection of buildings, including repairs and alterations thereto; \$1,450,000.

Research and testing: For calibrating and certifying measuring instruments, apparatus, and standards in terms of the national standards; the preparation and distribution of standard materials; the testing of equipment, materials, and supplies in connection with Government purchases; the improvement of methods of testing; advisory services to governmental agencies on scientific and technical matters; the maintenance and development of national standards of measurement; the development of improved methods of measurement; the determination of physical constants and the properties of materials; the investigation of mechanisms and structures, including their economy, efficiency, and safety; the study of fluid resistance and the flow of fluids and heat; the investigation of radiation, radioactive substances, and X-rays; the study of conditions affecting radio transmission; the broadcasting of radio signals of standard frequency; the development of methods of chemical analysis and synthesis, and the investigation of the properties of rare substances; investigations relating to the utilization of materials, including lubricants and liquid fuels; the study of new processes and methods of fabrication; the solutions of problems arising in connection with standards; cooperation with Government purchasing agencies, industries, and national organizations in developing specifications and facilitating their use; encouragement of the application of the latest developments in the utilization and standardization of building materials; the development of engineering and safety codes, simplified practice recommendations, and commercial standards of quality and performance; and the compilation of and dissemination of scientific and technical data; \$6,000,000.

Betatron and auxiliary equipment.

Purchase and installation of betatron: For the purchase and installation of a betatron and auxiliary equipment, and the construction of an annex to the X-radiation laboratory of the National Bureau of Standards with underground chambers for housing the betatron, for the purpose of conducting studies of X- and beta-radiation above 1.4 million volts, \$415,000, to remain available until expended.

60 Stat. 810.  
5 U. S. C. § 55a.

Not to exceed \$100,000 of funds available to the Bureau shall be available for temporary services as authorized by section 15 of the Act approved August 2, 1946 (Public Law 600).

#### WEATHER BUREAU

Post, p. 699.

26 Stat. 653.

56 Stat. 1012.  
Post, p. 450.

52 Stat. 1014; 60 Stat. 944.  
49 U. S. C. § 603.  
60 Stat. 138.  
50 U. S. C. app. § 1738.

Maintenance, etc., of airplane.

Salaries and expenses: For expenses necessary for carrying into effect in the United States and possessions, on ships at sea, and elsewhere when directed by the Secretary, the provisions of sections 1 and 3 of an Act approved October 1, 1890 (15 U. S. C. 311-313), the Act approved October 29, 1942 (15 U. S. C. 323), section 803 of the Civil Aeronautics Act of 1938 (49 U. S. C. 603) as amended by Public Law 691 dated August 8, 1946, and section 308 of an Act approved April 30, 1946 (Public Law 370), including investigations of atmospheric phenomena; cooperation with other public agencies and societies and institutions of learning; personal services at the seat of government; purchase (for replacement only) of seven passenger motor vehicles; maintenance, operation, and repair of one airplane; repair, alterations, and improvements to existing buildings and care and preservation of grounds, including the construction of necessary outbuildings and sidewalks on public streets, abutting Weather Bureau grounds; the erection of temporary buildings for living and working quarters of observers; telephone rentals, and telegraphing, telephoning, and cabling reports and messages, rates to be fixed by the Secretary by

agreement with the companies performing the service; and establishment, equipment, and maintenance of meteorological offices and stations; \$21,052,000, of which not to exceed \$3,000 may be expended for the contribution of the United States to the cost of the office of the secretariat of the International Meteorological Committee; and not to exceed \$10,000 for the maintenance of a printing office in the city of Washington for the printing of weather maps, bulletins, circulars, forms, and other publications: *Provided*, That no printing shall be done by the Weather Bureau that can be done at the Government Printing Office without impairing the service of said Bureau: *Provided further*, That the War and Navy Departments are authorized, during the fiscal year 1948, to transfer without charge to the Weather Bureau, subject to the approval of the Bureau of the Budget, equipment and supplies for upper air soundings: *Provided further*, That not to exceed \$25,000 of this appropriation may be expended for services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600): *Provided further*, That in the conduct of meteorological investigations in the Arctic region, pursuant to Public Law 296, approved February 12, 1946, the funds herein appropriated shall be available for the appointment of employees at rates to be fixed by the Chief of the Weather Bureau without regard to the civil-service laws and Classification Act and titles II and III of the Federal Employees Pay Act of 1945, but the maximum base rate of pay shall not be in excess of \$7,500 per annum and at no time more than five employees shall be in a pay status at such rate of pay, and no other employees shall receive in excess of the base rate of pay of \$5,000 per annum; the furnishing of food, shelter, and protective clothing and equipment, without repayment therefor, to employees of the Government assigned to Arctic stations; and the War and Navy Departments are authorized in the fiscal year 1948, subject to the approval of the Bureau of the Budget, to transfer without charge to the Weather Bureau materials, equipment, and supplies, surplus to the needs of the War and Navy Departments and necessary for the establishment, maintenance, and operation of Arctic weather stations.

Extra compensation at not to exceed \$5 per day may be paid to employees of other Government agencies in Alaska, and in other Territorial possessions for taking and transmitting meteorological observations for the Weather Bureau.

The appropriations "Salaries and expenses, Civil Aeronautics Administration"; "Salaries and expenses", Civil Aeronautics Board; and "Salaries and expenses", Weather Bureau, shall be available under regulations to be prescribed by the Secretary, for furnishing on a reimbursable basis to employees of the Civil Aeronautics Administration, the Civil Aeronautics Board, and the Weather Bureau in Alaska and other areas outside the United States where determined necessary by the Secretary emergency medical services by contract or otherwise and medical supplies, and for the purchase, transportation, and storage of food and other subsistence supplies for resale to such employees, the proceeds from such resales to be credited to the appropriation from which the expenditure for such supplies was made and a report shall be made to Congress annually showing the expenditures made for such supplies and the proceeds from such resale; and appropriations of the Civil Aeronautics Administration and the Weather Bureau shall be available in an amount not to exceed \$20,000 for furnishing food, clothing, medicines, and other supplies for the temporary relief of distressed persons in remote localities, reimbursement for such relief to be in accordance with regulations prescribed by the Secretary.

The appropriations of the Department of Commerce available for salaries and expenses shall be available for health programs as

International Meteorological Committee.

Printing office.

Transfer of equipment from War and Navy Departments.

60 Stat. 810.  
5 U. S. C. § 55a.  
Investigations in Arctic region.

60 Stat. 4.  
15 U. S. C. § 313a.

42 Stat. 1488.  
5 U. S. C. § 561 *et seq.*  
59 Stat. 296, 298.  
5 U. S. C. §§ 911-913,  
921, 922.

Transfer of surplus equipment from War and Navy Departments.

Extra compensation, Alaska, etc.

Emergency medical services, etc., Alaska.

Credit of proceeds from resales.  
Report to Congress.

Relief of distressed persons.

60 Stat. 903.  
5 U. S. C. § 150.  
60 Stat. 843.  
28 U. S. C. §§ 921,  
922.  
Attendance at meet-  
ings.

Citation of title.

Judiciary Appropri-  
ation Act, 1948.  
*Ante*, pp. 118, 187,  
188, 245; *post*, pp. 361,  
435, 608, 609, 612.

28 U. S. C. §§ 723b,  
723c.

48 Stat. 668.

*Post*, pp. 435, 612.

Reimbursements to  
U. S.

authorized by Public Law 658, Seventy-ninth Congress, and for the payment of claims under part 2 of the Federal Tort Claims Act (Public Law 601, Seventy-ninth Congress).

Appropriations of the Department of Commerce available for salaries and expenses shall be available for attendance at meetings of organizations concerned with the activities for which the appropriations are made.

This title may be cited as the "Department of Commerce Appropriation Act, 1948".

## TITLE IV—THE JUDICIARY

### UNITED STATES SUPREME COURT

**Salaries:** For the Chief Justice and eight Associate Justices; Reporter of the Court; and all other officers and employees, whose compensation shall be fixed by the Court, except as otherwise provided by law, and who may be employed and assigned by the Chief Justice to any office or work of the Court, \$762,500.

**Preparation of rules for civil procedure:** For expenses of the Supreme Court incident to proposed amendments or additions to the rules of Civil Procedure for the District Courts of the United States pursuant to the Act of June 19, 1934 (48 Stat. 1064), including personal services in the District of Columbia and printing and binding, to be expended as the Chief Justice in his discretion may approve, including per diem allowances in lieu of actual expenses for subsistence at rates to be fixed by him not to exceed \$10 per day, \$5,420.

**Printing and binding:** For printing and binding for the Supreme Court of the United States, \$25,000, of which amount not to exceed \$18,000 shall be available immediately, to be expended as required without allotment by quarters, and to be executed by such printer as the Court may designate.

**Miscellaneous expenses:** For miscellaneous expenses to be expended as the Chief Justice may approve, \$40,000, of which amount not to exceed \$1,600 shall be available for deposit in the general fund of the Treasury for cost of penalty mail.

**Structural and mechanical care of the building and grounds:** For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon him by the Act approved May 7, 1934 (40 U. S. C. 13a-13d), including improvements, maintenance, repairs, equipment, supplies, materials, and appurtenances; and personal and other services (including temporary labor without reference to the Classification and Retirement Acts, as amended), and for snow removal by hire of men and equipment or under contract without compliance with sections 3709, as amended, and 3744 of the Revised Statutes (41 U. S. C. 5, 16); \$122,800.

### UNITED STATES COURTS FOR THE DISTRICT OF COLUMBIA

Sixty per centum of the expenditures for the District Court of the United States for the District of Columbia from all appropriations under this title and 30 per centum of the expenditures for the United States Court of Appeals for the District of Columbia from all appropriations under this title shall be reimbursed to the United States from any funds in the Treasury to the credit of the District of Columbia.

**Repairs and improvements, District Court of the United States for the District of Columbia:** For repairs and improvements to the courthouse, including repair and maintenance of the mechanical equipment, and for labor and material and every item incident thereto, \$11,200, to be expended under the direction of the Architect of the Capitol.

Repairs and improvements, United States Court of Appeals for the District of Columbia: For repairs and improvements to the United States Court of Appeals Building, including repair and maintenance of the mechanical equipment and for labor and material and every item incident thereto, \$3,800, to be expended under the direction of the Architect of the Capitol.

## COURT OF CUSTOMS AND PATENT APPEALS

Salaries and expenses: For salaries of the presiding judge, four associate judges, and all other officers and employees of the court, and necessary expenses of the court, including exchange of books, traveling expenses, and printing and binding, as may be approved by the presiding judge, \$168,000: *Provided*, That not to exceed \$180 of this appropriation shall be available for deposit in the general fund of the Treasury for cost of penalty mail.

## UNITED STATES CUSTOMS COURT

Salaries and expenses: For salaries of the presiding judge, eight judges, and all other officers and employees of the court, and necessary expenses of the court, including exchange of books, traveling expenses, and printing and binding, as may be approved by the presiding judge, \$356,400: *Provided*, That traveling expenses of judges of the Customs Court shall be paid upon the written certificate of the judge: *Provided further*, That not to exceed \$500 of this appropriation shall be available for deposit in the general fund of the Treasury for cost of penalty mail.

Traveling expenses.

## COURT OF CLAIMS

Salaries and expenses: For salaries of the chief justice, four judges, seven regular and five additional commissioners, and all other officers and employees of the court, including the compensation of stenographers authorized by the court, and for stenographic and other fees and charges necessary in the taking of testimony and in the performance of the duties as authorized by the Act entitled "An Act amending section 2 and repealing section 3 of the Act approved February 24, 1925 (28 U. S. C. 269, 270), entitled 'An Act to authorize the appointment of commissioners by the Court of Claims and to prescribe their powers and compensation', and for other purposes", approved June 23, 1930, and as also amended by an Act approved July 1, 1944; and necessary expenses of the court including traveling expenses, and printing and binding; \$450,000: *Provided*, That not to exceed \$500 of this appropriation shall be available for deposit in the general fund of the Treasury for cost of penalty mail.

46 Stat. 799.  
28 U. S. C. § 275a.58 Stat. 663.  
41 U. S. C. § 114.

Repairs and improvements: For necessary repairs and improvements to the Court of Claims buildings, to be expended under the supervision of the Architect of the Capitol, \$11,000.

## TERRITORIAL COURTS

Hawaii: For salaries of the chief justice and two associate justices of the Supreme Court of the Territory of Hawaii, of judges of the circuit courts in Hawaii, and of judges retired under the Act of May 31, 1938, \$96,500.

52 Stat. 591.  
28 U. S. C. §§ 375g,  
375h.

## MISCELLANEOUS ITEMS OF EXPENSE

Salaries of judges: For salaries of circuit judges; district judges (including two in the Territory of Hawaii, one in the Territory of Puerto Rico, four in the Territory of Alaska, one in the Virgin Islands, and one in the Panama Canal Zone); and judges retired under section 260 of the Judicial Code, as amended, and section 518

Retired judges.  
36 Stat. 1161.  
28 U. S. C. § 375.

46 Stat. 737.  
19 U. S. C. § 6.

of the Tariff Act of 1930, \$4,515,000: *Provided*, That this appropriation shall be available for the salaries of all United States justices and circuit and district judges lawfully entitled thereto whether active or retired.

Salaries of clerks of courts: For salaries of clerks of United States circuit courts of appeals and United States district courts, their deputies, and other assistants, \$3,631,295.

Clerks' offices.  
Restriction on use of funds.

No part of any appropriation in this Act shall be used to pay the cost of maintaining an office of the clerk of the United States District Court at Anniston, Alabama; Florence, Alabama; Jasper, Alabama; Gadsden, Alabama; Grand Junction, Colorado; Montrose, Colorado; Durango, Colorado; Sterling, Colorado; Newnan, Georgia; Benton, Illinois; Salina, Kansas; Chillicothe, Missouri; Roswell, New Mexico; Bryson City, North Carolina; Shelby, North Carolina; Ardmore, Oklahoma; Guthrie, Oklahoma; Aberdeen, South Dakota; Pierre, South Dakota; Deadwood, South Dakota; Ogden, Utah; Casper, Wyoming; Evanston, Wyoming; or Lander, Wyoming; but this paragraph shall not be so construed as to prevent the detail during sessions of court of such employees as may be necessary from other offices to the offices named herein.

Detail of employees.

46 Stat. 503.  
Appointment, etc.,  
of probation officers.

Probation system, United States courts: For salaries of probation officers and their clerical assistants, as authorized by the Act approved June 6, 1930 (18 U. S. C. 726), \$1,650,000: *Provided*, That nothing herein contained shall be construed to abridge the right of the district judges to appoint probation officers, or to make such orders as may be necessary to govern probation officers in their own courts: *Provided further*, That no part of this appropriation shall be used to pay the salary or expenses of any probation officer who, in the judgment of the senior or presiding judge certified to the Attorney General, fails to carry out the official orders of the Attorney General with respect to supervising or furnishing information concerning any prisoner released conditionally or on parole from any Federal penal or correctional institution.

58 Stat. 796.  
28 U. S. C. § 9.  
36 Stat. 1133, 1167;  
26 Stat. 829.

Salaries of criers: For salaries of criers as authorized by the Act of December 7, 1944 (Public Law 468), and Acts of March 3, 1911, and March 3, 1891, as amended (28 U. S. C. 224 and 547), \$320,000.

Fees of commissioners: For fees of the United States commissioners and other committing magistrates acting under section 1014, Revised Statutes (18 U. S. C. 591), including fees and expenses of conciliation commissioners, United States courts, including the objects and subject to the conditions specified for such fees and expenses of conciliation commissioners in the Department of Justice Appropriation Act, 1937, \$475,000.

49 Stat. 1327.

Fees of jurors: For mileage and per diems of jurors; meals and lodging for jurors when ordered by the court, and meals and lodging for jurors in Alaska, as provided by section 193, title II, of the Act of June 6, 1900 (31 Stat. 362); and compensation for jury commissioners, \$5 per day, not exceeding three days for any one term of court; \$1,400,000: *Provided*, That the compensation of jury commissioners for the District of Columbia shall conform to the provisions of section 1401, title 11 of the District of Columbia Code, but such compensation shall not exceed \$250 each per annum.

Jury commissioners.

41 Stat. 558.

Miscellaneous salaries: For salaries of all officials and employees of the Federal judiciary, not otherwise specifically provided for, \$1,800,000: *Provided*, That the compensation of secretaries and law clerks of circuit and district judges (exclusive of any additional compensation under the Federal Employees Pay Act of 1945 and any other Acts of similar purport subsequently enacted) shall be fixed by

59 Stat. 295.  
5 U. S. C. § 901 *et seq.*  
*Post*, p. 727.

the Director of the Administrative Office without regard to the Classification Act of 1923, as amended, except that the salary of a secretary shall conform with that of the main (CAF-4), senior (CAF-5), or principal (CAF-6) clerical grade, or assistant (CAF-7), or associate (CAF-8) administrative grade, as the appointing judge shall determine, and the salary of a law clerk shall conform with that of the junior (P-1), assistant (P-2), associate (P-3), full (P-4), or senior (P-5) professional grade, as the appointing judge shall determine, subject to review by the judicial council of the circuit if requested by the Director, such determination by the judge otherwise to be final: *Provided further*, That (exclusive of any additional compensation under the Federal Employees Pay Act of 1945 and any other Acts of similar purport subsequently enacted) the aggregate salaries paid to secretaries and law clerks appointed by one judge shall not exceed \$6,500 per annum, except in the case of the senior circuit judge of each circuit and senior district judge of each district having five or more district judges, in which case the aggregate salaries shall not exceed \$7,500.

42 Stat. 1488.  
5 U. S. C. § 661 *et seq.*

Aggregate salaries.

59 Stat. 295.  
5 U. S. C. § 901 *et seq.*  
*Post*, p. 727.

**Miscellaneous expenses (other than salaries):** For miscellaneous expenses of the United States courts and their officers; purchase of firearms and ammunition; purchase of envelopes without regard to the Act of June 26, 1906 (34 Stat. 476); and not to exceed \$84,000 for deposit in the general fund of the Treasury for cost of penalty mail for the United States courts and the Administrative Office of the United States Courts; \$500,000.

39 U. S. C. § 355.

**Traveling expenses:** For necessary traveling expenses, not otherwise provided for, incurred by the Judiciary, including traveling expenses of probation officers and their clerks, \$590,000: *Provided*, That this sum shall be available, in an amount not to exceed \$6,000, for expenses of attendance at meetings concerned with the work of Federal probation when incurred on the written authorization of the Director of the Administrative Office of the United States Courts.

Attendance at meetings.

**Printing and binding:** For printing and binding for the Administrative Office and Courts of the United States, \$69,000.

**Printing and binding:** For printing and binding the advance opinions, preliminary prints, and bound reports of the Supreme Court of the United States, \$80,250.

**Salaries, court reporters:** For salaries of court reporters for the district courts of the United States, as authorized by the Act of January 20, 1944 (Public Law 222), \$865,000.

58 Stat. 6.  
28 U. S. C. § 9a (c).

**Salaries of referees:** For salaries of referees as authorized by the Act of June 28, 1946 (Public Law 464), \$350,000, together with \$405,000 to be derived from the referees' salary fund established in pursuance of said Act.

60 Stat. 326.  
11 U. S. C. § 68.

**Miscellaneous expenses of referees:** For miscellaneous expenses of referees, United States courts, including the salaries of their clerical assistants, travel expenses, and printing and binding; purchase of envelopes without regard to the Act of June 26, 1906 (34 Stat. 476); and not to exceed \$30,000 for deposit in the general fund of the Treasury for cost of penalty mail; \$350,000, together with \$325,000 to be derived from the referees' expense fund established in pursuance of the Act of June 28, 1946 (Public Law 464).

39 U. S. C. § 355.

*Supra*.

#### ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

**Salaries and expenses:** For necessary expenses of the Administrative Office of the United States Courts, including personal services in the District of Columbia, travel, advertising, rent in the District of Columbia and elsewhere, and examination of estimates for appropriations in the field, \$400,000.

"Circuit court of appeals."

"Senior circuit judge."

"Circuit judge."

"Judge."

U. S. Court of Appeals, D. C., reports.

Marking of books.

Citation of title.

As used in this title, the term "circuit court of appeals" includes the United States Court of Appeals for the District of Columbia; the term "senior circuit judge" includes the chief justice of the United States Court of Appeals for the District of Columbia; the term "circuit judge" includes associate justice of the United States Court of Appeals for the District of Columbia; and the term "judge" includes justice.

The reports of the United States Court of Appeals for the District of Columbia shall not be sold for a price exceeding that approved by the court and for not more than \$6.50 per volume: *Provided*, That all books purchased hereunder for United States judges and other judicial officers shall be marked plainly "The Property of the United States", and such books shall in all cases be transmitted to their successors in office.

This title may be cited as the "Judiciary Appropriation Act, 1948".

## TITLE V—GENERAL PROVISIONS

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

Affidavit.

Penalty.

Short title.

SEC. 501. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

SEC. 502. This Act may be cited as the "Departments of State, Justice and Commerce, and the Judiciary Appropriation Act, 1948".

Approved July 9, 1947.

### [CHAPTER 212]

#### AN ACT

July 9, 1947  
[H. R. 3333]  
[Public Law 167]

To authorize the transfer of the Joseph Conrad to the Marine Historical Association of Mystic, Connecticut, for museum and youth-training purposes.

Marine Historical Association, Mystic, Conn.  
Transfer of the Joseph Conrad.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Maritime Commission is authorized to give and deliver (at her present location, Saint Petersburg, Florida) to the Marine Historical Association of

Mystic, Connecticut, the Joseph Conrad for use by the Marine Historical Association of Mystic, Connecticut, as a museum and for youth-training purposes to be in large part devoted to creating interest in the merchant marine and maritime matters. The transfer of said ship to carry a provision that in the event the Maritime Commission should need the ship for training purposes, then it shall be transferred to the Maritime Commission. The Maritime Commission is also authorized to place in the museum pictures, relics, flags, displays, and documents, for the purpose of creating interest in the American merchant marine and maritime matters. In the event the Marine Historical Association of Mystic, Connecticut, should fail to accept under this Act, the Maritime Commission is authorized to give and deliver the said ship to the city of Saint Petersburg, Florida, for museum and youth-training purposes.

Approved July 9, 1947.

[CHAPTER 219]

AN ACT

To amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide annuities for investigatory personnel of the Federal Bureau of Investigation who have rendered at least twenty years of service.

July 11, 1947  
[S. 715]  
[Public Law 168]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1 (b) of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by adding at the end thereof the following new subsection:

56 Stat. 14.  
6 U. S. C. § 691 (b).

“(i) Any special agent, special agent in charge, inspector, Assistant Director, assistant to the Director, Associate Director, or the Director, who is at least fifty years of age and who has rendered twenty years of service or more as a special agent, or as aforesaid above, in the Federal Bureau of Investigation may, on his own application and with the consent of the Attorney General, retire from the service and such annuity of such employee shall be equal to 2 per centum of his average basic salary for the five years next preceding the date of his retirement, multiplied by the number of years of service, not exceeding thirty years.”

Retirement of special agents, etc., of FBI.

Annuity.

Approved July 11, 1947.

[CHAPTER 220]

AN ACT

To authorize the preparation of preliminary plans and estimates of cost for an additional office building for the use of the United States Senate.

July 11, 1947  
[S. 723]  
[Public Law 169]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Architect of the Capitol, subject to the direction and supervision of the Senate Office Building Commission created by the Sundry Civil Appropriation Act of April 28, 1904 (33 Stat. 481), the membership of which is hereby increased from three to five members, to be appointed by the President of the Senate, is authorized and directed to prepare preliminary plans and estimates of cost for an additional office building for the use of the United States Senate.

U. S. Senate.  
Plans, etc., for additional office building.

Increase in membership of Commission.

SEC. 2. The Architect of the Capitol is authorized to make such expenditures as may be necessary to carry out the provisions of this Act, and there is hereby authorized to be appropriated for such purpose the sum of \$25,000.

Appropriation authorized.  
Post, p. 612.

Approved July 11, 1947.



## [CHAPTER 221]

## AN ACT

July 11, 1947  
[S. 980]  
[Public Law 170]

To amend the Act entitled "An Act to define the area of the United States Capitol Grounds, to regulate the use thereof, and for other purposes", approved July 31, 1946.

U. S. Capitol  
Grounds.

60 Stat. 720.  
40 U. S. C. § 212b(b).

Promulgation of reg-  
ulations.

60 Stat. 720.  
40 U. S. C. § 212b(c).

Publication of regu-  
lations.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 14 (b) of the Act entitled "An Act to define the area of the United States Capitol Grounds, to regulate the use thereof, and for other purposes", approved July 31, 1946 (60 Stat. 718), is hereby amended to read as follows:

"(b) Regulations authorized to be promulgated under this section shall be promulgated by the Capitol Police Board and such regulations may be amended from time to time by the Capitol Police Board whenever it shall deem it necessary: *Provided*, That until such regulations are promulgated and become effective, the traffic regulations of the District of Columbia shall be applicable to the United States Capitol Grounds."

SEC. 2. Section 14 (c) of said Act is hereby amended to read as follows:

"(c) All regulations promulgated under the authority of this section shall, when adopted by the Capitol Police Board, be printed in one or more of the daily newspapers published in the District of Columbia, and shall not become effective until the expiration of ten days after the date of such publication, except that whenever the Capitol Police Board deems it advisable to make effective immediately any regulation relating to parking, diverting of vehicular traffic, or the closing of streets to such traffic, the regulation shall be effective immediately upon placing at the point where it is to be in force conspicuous signs containing a notice of the regulation. Any expenses incurred under this subsection shall be payable from the appropriation 'Uniforms and Equipment, Capitol Police.'"

Approved July 11, 1947.

## [CHAPTER 222]

## AN ACT

July 11, 1947  
[S. 1316]  
[Public Law 171]

To establish a procedure for facilitating the payment of certain Government checks, and for other purposes.

Payment of certain  
Government checks,  
etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, with the exception of checks issued on account of public-debt obligations and transactions regarding the administration of banking and currency laws, the amounts of all original and substitute checks drawn on the Treasurer of the United States, including those drawn by wholly owned and mixed-ownership Government corporations, or drawn by authorized officers of the United States on designated depositories, which have not been paid prior to the close of the fiscal year next following the fiscal year in which the checks were issued, shall be transferred from the account of the drawer or the account then available for the payment thereof to a special-deposit account or accounts on the books of the Treasurer of the United States.

(b) With the exception of checks issued on account of public-debt obligations and transactions regarding the administration of banking and currency laws, any original or any substitute checks heretofore or hereafter drawn on the Treasurer of the United States, including those drawn by wholly owned and mixed-ownership Government corporations, or drawn by authorized officers of the United States on designated depositories which have not been paid prior to the close of the fiscal

year next following the fiscal year in which the checks were issued and checks issued in payment of claims settled by the General Accounting Office on account of any of such checks shall be payable from the special-deposit account or accounts established pursuant to this section: *Provided*, That in the following classes of cases any original or substitute check shall be payable from the special-deposit account or accounts only after settlement by the General Accounting Office: (1) Where the check is drawn on a designated depository, (2) where the owner or holder of the check has died or is incompetent, (3) where on presentation of the check for payment the Treasurer of the United States is on notice of a doubtful question of law or fact, and (4) where the check is over ten years old: *And provided further*, That the limitation imposed in respect to certain claims or demands against the United States by the Act of October 9, 1940 (54 Stat. 1061; U. S. C., title 31, secs. 71a, 237), shall not be deemed to apply to original or substitute checks heretofore or hereafter drawn on the Treasurer of the United States, including those drawn by wholly owned and mixed-ownership Government corporations, or drawn by authorized officers of the United States on designated depositories, but nothing contained in this Act shall be deemed to affect the limitation imposed in respect to claims on account of certain checks by section 2 of the Act of June 22, 1926 (44 Stat. 761; U. S. C., title 31, sec. 122).

Checks payable after settlement by GAO.

Nonapplicability of certain limitations.

SEC. 2. The balances deposited to the credit of the outstanding-liabilities account of any fiscal year pursuant to section 21 of the Permanent Appropriation Repeal Act, 1934 (48 Stat. 1235; U. S. C., title 31, sec. 725t), and which have not been covered into the surplus fund of the Treasury shall be transferred to the foregoing special-deposit account or accounts and together with the amounts transferred thereto under the provisions of section 1 shall be available to pay any check payable from such account or accounts.

Transfer of balances.

SEC. 3. The Secretary of the Treasury is hereby authorized to take such action as may be necessary to transfer at appropriate intervals from the foregoing special-deposit account or accounts to the appropriate receipt account or accounts on the books of the Treasury any amounts not required to effect the purposes of this Act and with the concurrence of the Comptroller General to make such rules and regulations as he may deem necessary or proper for the administration of the provisions of this Act.

Transfer of funds.

Rules and regulations.

SEC. 4. (a) Sections 306, 307, 308, 309, and 310 of the Revised Statutes of the United States, as amended (U. S. C., title 31, secs. 149, 150, 151, 152, 153), and section 21 of the Permanent Appropriation Repeal Act, 1934 (48 Stat. 1235; U. S. C., title 31, section 725t), are hereby repealed.

Repeals.

(b) Section 5 of the Act of July 1, 1916, as amended (U. S. C., title 31, sec. 154), is hereby amended to read as follows:

39 Stat. 336.

Report by GAO.

"At the termination of each fiscal year the General Accounting Office shall report to the Secretary of the Treasury all checks issued by any disbursing officer of the Government or its wholly owned or mixed-ownership corporations, as shown by his accounts rendered to the General Accounting Office, or otherwise, which shall then have been outstanding and unpaid for one full fiscal year after the fiscal year in which issued, stating in such report the date, number, and amount of each check and the symbol on which it was drawn."

(c) Subsection (a) of section 3646 of the Revised Statutes of the United States, as amended (U. S. C., 1940 edition, Supp. V, title 31, sec. 528 (a)) is further amended by deleting the phrase "before the close of the fiscal year following the fiscal year in which the original check was issued" and inserting in lieu thereof the phrase "prior to the expiration of ten years from the date on which the original check was issued" and by inserting immediately following the phrase "from

Issuance of substitute checks.

the account of the drawer" the phrase "or the account available for payment of the original check".

(d) Subsections (c) and (e) of section 3646 of the Revised Statutes of the United States, as amended (U. S. C., 1940 edition, Supp. V, title 31, secs. 528 (c) and (e)), are respectively, further amended by deleting the phrase "before the close of the fiscal year following the fiscal year in which the original check was issued" and inserting in lieu thereof the phrase "prior to the expiration of ten years from the date on which the original check was issued".

(e) Subsection (f) of section 3646 of the Revised Statutes of the United States, as amended (U. S. C., 1940 edition, Supp. V, title 31, sec. 528 (f)) is further amended to read as follows:

"(f) Substitutes issued under this section drawn on the Treasurer of the United States, except those for checks issued on account of public-debt obligations and transactions regarding the administration of banking and currency laws, shall be deemed to be original checks and shall be payable under the same conditions as original checks. Substitutes for checks issued on account of public-debt obligations and transactions regarding the administration of banking and currency laws shall be payable directly by the Treasurer of the United States without limitation of time."

"Original check."

59 Stat. 592.

Effective date.

(f) Subsection (g) of section 3646 of the Revised Statutes of the United States, as amended (U. S. C., 1940 edition, Supp. V, title 31, sec. 528 (g)) is further amended by deleting the phrase "by any corporation or other entity" and inserting in lieu thereof "by any wholly owned or mixed-ownership Government corporation or by any entity".

SEC. 5. This Act shall take effect on July 1, 1947.

Approved July 11, 1947.

#### [CHAPTER 223]

#### AN ACT

July 11, 1947  
[H. R. 195]  
[Public Law 172]

To authorize the Secretary of Agriculture to sell certain lands in Alaska to the city of Sitka, Alaska.

Sitka, Alaska.  
Sale of lands.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of Agriculture is hereby authorized to sell at their reasonably appraised value to the city of Sitka, Alaska, the following-described lands and improvements thereon: The tract of land formerly occupied by the Alaska Agricultural Experiment Station, more particularly shown on the official survey map of the city of Sitka as the United States Reserve for Agricultural Investigations and Weather Service.

Approved July 11, 1947.

#### [CHAPTER 224]

#### AN ACT

July 11, 1947  
[H. R. 325]  
[Public Law 173]

To transfer Blair County, Pennsylvania, from the middle judicial district of Pennsylvania to the western judicial district of Pennsylvania.

Blair County, Pa.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That Blair County, Pennsylvania, of the middle judicial district of Pennsylvania, be, and it is hereby, detached from said judicial district and attached to the western judicial district of Pennsylvania: *Provided*, That the transfer herein provided shall not affect any case or proceedings now pending.

Approved July 11, 1947.

## [CHAPTER 225]

## AN ACT

To amend the Act of June 14, 1938, so as to authorize the Cairo Bridge Commission to issue its refunding bonds for the purpose of refunding the outstanding bonds issued by the commission to pay the cost of a certain toll bridge at or near Cairo, Illinois.

July 11, 1947  
[H. R. 1610]  
[Public Law 174]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 5 of the Act entitled "An Act to authorize the Cairo Bridge Commission, or the successors of said commission, to acquire by purchase, and to improve, maintain, and operate a toll bridge across the Mississippi River at or near Cairo, Illinois", approved June 14, 1938 (Public, Numbered 601, Seventy-fifth Congress, 52 Stat. 679), is amended to read as follows:

Cairo Bridge Commission.

"SEC. 5. The power granted to the commission by this Act to issue its negotiable bonds for the payment of the cost of said bridge and its approaches and the necessary lands, easements, and appurtenances thereto, shall include the power to refund said bonds, including the payment of any redemption premium thereon, by the issuance of negotiable refunding bonds of the commission, bearing interest at a lower rate or rates, in an aggregate principal amount not in excess of the principal amount of outstanding bonds to be refunded plus the amount of the redemption premium payable on said outstanding bonds at the date of the redemption thereof. All of the provisions of sections 4 and 5 of said Act of April 13, 1934, relating to the bridge constructed, to the bonds issued, and to the trust agreement entered into under the authority of said Act, and relating to the collection of bridge tolls and to the application of such tolls, shall apply to the bridge acquired and to the bonds issued or to be issued under the authority of this Act."

Refunding of bonds.

48 Stat. 578.

Approved July 11, 1947.

## [CHAPTER 226]

## AN ACT

To authorize the establishment of a band in the Metropolitan Police force.

July 11, 1947  
[H. R. 2470]  
[Public Law 175]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be established in the Metropolitan Police Department a band to perform at such municipal or civic functions and events as may be authorized by the Commissioners of the District of Columbia. The Major and Superintendent of Police is authorized in his discretion to detail, without additional compensation, such officers and members of the Metropolitan Police force as may request such a detail to participate in the activities of such band. The said Commissioners are authorized to employ, without reference to the civil-service laws, one director for such band with compensation at a rate not to exceed the rate of compensation to which a lieutenant in the Metropolitan Police force is entitled.

Metropolitan Police force band.

Director.

SEC. 2. Notwithstanding the limitations of existing law, the said Commissioners may appoint to, and employ in, the position of director of such band, any retired officer of the United States Army, Navy, Marine Corps, or Coast Guard, and such retired officer shall be entitled to receive, in addition to his retired pay, the compensation authorized by this Act to be paid to such director, such additional compensation to be payable from District of Columbia appropriations.

SEC. 3. Appropriations to carry out the purpose of this Act is hereby authorized.

Appropriations authorized.

Approved July 11, 1947.

## [CHAPTER 227]

## AN ACT

July 11, 1947  
[H. R. 3072]  
[Public Law 176]

To authorize the preparation of preliminary plans and estimates of cost of for the erection of an addition or extension to the House Office Buildings and the remodeling of the fifth floor of the Old House Office Building.

U. S. House of  
Representatives.  
Preliminary plans  
for extension to House  
Office Buildings, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Architect of the Capitol, subject to the direction and supervision of the House Office Building Commission, is authorized and directed to prepare preliminary plans and estimates of cost for (1) the erection of an addition or extension to the House Office Buildings for the use of the United States House of Representatives, including accommodations for parking of automobiles; (2) the remodeling of the fifth floor of the Old House Office Building to provide additional office accommodations for Members of the House of Representatives; and (3) the renewal of plumbing in the Old House Office Building.

Appropriation au-  
thorized.

SEC. 2. The Architect of the Capitol is authorized to make such expenditures as may be necessary to carry out the provisions of this Act, and there is hereby authorized to be appropriated for such purpose the sum of \$25,000.

Approved July 11, 1947.

## [CHAPTER 228]

## AN ACT

July 11, 1947  
[H. R. 3235]  
[Public Law 177]

To amend the Code of Laws of the District of Columbia, with respect to abandonment of condemnation proceedings.

D. C. Code, amend-  
ment.

45 Stat. 1439.

Abandonment of  
condemnation pro-  
ceedings.

Reimbursement of  
owner.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 490 of chapter XV of the Code of Laws for the District of Columbia, as amended (D. C. Code, 1940 edition, sec. 16-610), is amended to read as follows:

"SEC. 490. It shall be optional with the Commissioners to abide by the verdict of the jury and occupy the land appraised by them, or, within a reasonable time to be fixed by the court in its order confirming the verdict, to abandon the same: *Provided, however,* That if such condemnation proceeding shall be abandoned, the court shall award to the owner or owners of the property involved therein such sum or sums as will in the opinion of the court reimburse such owner or owners for all reasonable costs and expenses, including reasonable counsel fees, incurred by him or them in such proceeding; and the sum or sums so awarded shall constitute a judgment or judgments against the District of Columbia: *Provided further,* That no such owner shall be entitled to such reimbursement in any case where the proceeding is abandoned at the request or with the consent of the owner of such property."

Approved July 11, 1947.

## [CHAPTER 229]

## AN ACT

July 11, 1947  
[H. R. 3251]  
[Public Law 178]

To amend the Act of July 24, 1941 (55 Stat. 603), as amended, so as to authorize naval retiring boards to consider the cases of certain officers, and for other purposes.

Navy and Marine  
Corps.  
Retirement benefits  
for designated classes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subsection 8 (d) of the Act of July 24, 1941 (55 Stat. 604; 34 U. S. C. 350g (d)), is hereby amended to read as follows:

"(d) An officer of the retired list of the Regular Navy or Marine Corps who incurs physical disability while serving on active duty in the same rank as that held by him on the retired list shall, if not otherwise entitled thereto, receive 75 per centum of the active-duty pay to which he was entitled while serving in that rank".

SEC. 2. Subsection 8 (e) of the Act of July 24, 1941 (55 Stat. 604; 34 U. S. C. 350g (e)), as amended, is hereby further amended by striking out the words "the next" as they appear in line 4 thereof and substituting therefor the word "such".

SEC. 3. Subsection 8 (g) of the Act of July 24, 1941 (55 Stat. 605; 34 U. S. C. 350g (g)), is hereby amended to read as follows:

"(g) The provisions of this section shall not apply in any case if the proceedings of the naval retiring board be commenced subsequent to a date one year after the termination of the temporary appointment or release from active duty of the individual concerned, whichever may occur later, except in the case of an individual whose temporary appointment shall have been terminated prior to the date of enactment of this amendment, or who, prior to such date, shall have been released from active duty".

SEC. 4. This Act shall become effective as of August 10, 1946, and no back pay for any period prior thereto shall accrue to any person by reason of enactment of this Act.

Approved July 11, 1947.

Proceedings of naval  
retiring board.  
Time limitation.

Effective date.

## [CHAPTER 230]

### AN ACT

To make it unlawful in the District of Columbia to corruptly influence participants or officials in contests of skill, speed, strength, or endurance, and to provide a penalty therefor.

July 11, 1947  
[H. R. 3515]  
[Public Law 179]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subchapter 5 of chapter 19 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901, as amended, is amended by adding at the end thereof a new section to read as follows:

D. C. Code, amend-  
ment.

31 Stat. 1330; 35 Stat.  
671.  
D. C. Code §§ 22-  
1501 to 22-1512.

"SEC. 869e. CORRUPT INFLUENCE IN CONNECTION WITH ATHLETIC CONTESTS.—(a) It shall be unlawful to pay or give, or to agree to pay or give, or to promise or offer, any valuable thing to any individual—

Unlawful acts.

"(1) with intent to influence such individual to lose or cause to be lost, or to attempt to lose or cause to be lost, or to limit or attempt to limit his or his team's margin of victory or score in, any professional or amateur athletic contest in which such individual is or may be a contestant or participant; or

"(2) with intent to influence such individual, in the case of any professional or amateur athletic contest in connection with which such individual (as a manager, coach, owner, second, jockey, trainer, handler, groom, or otherwise) has or will have any duty or responsibility with respect to a contestant, participant, or team who or which is engaging or may engage therein, to cause or attempt to cause (A) the loss of such athletic contest by such contestant, participant, or team; or (B) the margin of victory or score of such contestant, participant, or team to be limited; or

"(3) with intent to influence such individual, in the case of any professional or amateur athletic contest in connection with which such individual is to be or may be a referee, judge, umpire, linesman, starter, timekeeper, or other similar official, to cause or

attempt to cause (A) the loss of such athletic contest by any contestant, participant, or team who or which is engaging or may engage therein; or (B) the margin of victory or score of any such contestant, participant, or team to be limited.

“(b) It shall be unlawful for any individual to solicit or accept, or to agree to accept, any valuable thing or a promise or offer of any valuable thing—

“(1) to influence such individual to lose or cause to be lost, or to attempt to lose or cause to be lost, or to limit or attempt to limit his or his team’s margin of victory or score in, any professional or amateur athletic contest in which such individual is or may be a contestant or participant; or

“(2) to influence such individual, in the case of any professional or amateur athletic contest in connection with which such individual (as a manager, coach, owner, second, jockey, trainer, handler, groom, or otherwise) has or will have any duty or responsibility with respect to a contestant, participant, or team who or which is engaging or may engage therein, to cause or attempt to cause (A) the loss of such athletic contest by such contestant, participant, or team; or (B) the margin of victory or score of such contestant, participant, or team to be limited; or

“(3) to influence such individual, in the case of any professional or amateur athletic contest in connection with which such individual is to be or may be a referee, judge, umpire, linesman, starter, timekeeper, or other similar official, to cause or attempt to cause (A) the loss of such athletic contest by any contestant, participant, or team who or which is engaging or may engage therein; or (B) the margin of victory or score of any such contestant, participant, or team to be limited.

Penalty.

“(c) Whoever violates any provision of subsection (a) of this section shall be guilty of a felony, and, upon conviction thereof, shall be punished by imprisonment for not less than one year nor more than five years and by a fine of not more than \$10,000.

“(d) Whoever violates any provision of subsection (b) of this section shall, upon conviction thereof, be punished by imprisonment for not more than one year and by a fine of not more than \$5,000.

“Athletic contest.”

“(e) As used in this section, the term ‘athletic contest’ means any of the following, wherever held or to be held: A football, baseball, softball, basketball, hockey, or polo game, or a tennis, or wrestling match, or a prize fight or boxing match, or a horse race or any other athletic or sporting event or contest.”

Approved July 11, 1947.

#### [CHAPTER 231]

#### AN ACT

To authorize funds for ceremonies in the District of Columbia.

July 11, 1947  
[H. R. 3547]  
[Public Law 180]

Reception of foreign  
officials, etc.  
Appropriation au-  
thorized.

41 U. S. C. § 5.  
42 Stat. 1488.  
5 U. S. C. §§ 661-674.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated, out of any moneys in the Treasury of the United States to the credit of the District of Columbia not otherwise appropriated, not to exceed \$10,000 in any fiscal year for such expenses as the Commissioners of the District of Columbia shall deem to be necessary, including personal services, and without reference to section 3709 of the Revised Statutes, as amended; the Classification Act of 1923, as amended, or the civil-service laws, for the reception and entertainment of officials of foreign, State, local, or

Federal governments and other dignitaries and eminent persons visiting in or returning to the District of Columbia; and the certificate of the Commissioners shall be sufficient voucher for the expenditure of appropriations made pursuant to this Act.

Approved July 11, 1947.

## [CHAPTER 234]

## AN ACT

To reimburse certain Navy personnel and former Navy personnel for money stolen or obtained through false pretenses from them while they were on duty at the United States naval training station, Farragut, Idaho.

July 11, 1947  
[S. 665]  
[Public Law 181]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to certain Navy personnel and former Navy personnel, such sum or sums, amounting in the aggregate to not to exceed \$2,017, as may be certified by the Secretary of the Navy to be required to reimburse them for losses they sustained as a result of certain sums of money having been stolen or obtained by false pretenses from them, without fault or negligence on their part, while they were on duty as members of Company 956-43 at the naval training station, Farragut, Idaho, in the months of November and December 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Navy personnel and  
former Navy person-  
nel.  
Reimbursement.

Approved July 11, 1947.

## [CHAPTER 235]

## AN ACT

To provide for the construction, extension, and improvement of public-school buildings in Owyhee, Nevada.

July 11, 1947  
[S. 686]  
[Public Law 182]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of not to exceed \$300,000 for the construction, extension, improvement, and equipment of school buildings in Owyhee, Nevada: *Provided*, That plans and specifications for the construction, extension, and improvement of the said school buildings shall be furnished by the Commissioner of Indian Affairs: *And provided further*, That the said school buildings so constructed, extended, and improved shall be the property of the United States and shall be turned over to the Owyhee Public School District under the provisions of the Act of April 16, 1934 (48 Stat. 596), as amended by the Act of June 4, 1936 (49 Stat. 1458), and shall be made available to all Indian children of the said district on the same terms, except as to the payment of tuition, as to other children of said school district.

Owyhee, Nev.  
Appropriation au-  
thorized for construc-  
tion, etc., of schools.

Plans, etc.

25 U. S. C. §§ 452-  
455.

Approved July 11, 1947.



## [CHAPTER 236]

## AN ACT

July 11, 1947  
[H. R. 599]  
[Public Law 183]

Declaring Kenduskeag Stream, Penobscot County, Maine, to be a nonnavigable waterway.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Kenduskeag Stream, a minor tributary of the Penobscot River, located in Penobscot County, in the State of Maine, be, and the same is hereby, declared to be a nonnavigable waterway within the meaning of the Constitution and laws of the United States of America.

SEC. 2. That the right of Congress to alter, amend, or repeal this Act is hereby expressly reserved.

Approved July 11, 1947.

## [CHAPTER 244]

## JOINT RESOLUTION

July 12, 1947  
[S. J. Res. 122]  
[Public Law 184]

Consenting to an interstate oil compact to conserve oil and gas.

Oil and gas conservation.  
Consent of Congress to extension of compact.

49 Stat. 939.

50 Stat. 617.

53 Stat. 1071.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby given to an extension and renewal for a period of four years from September 1, 1947, of the Interstate Compact to Conserve Oil and Gas, executed in the city of Dallas, Texas, the 16th day of February 1935, by the representatives of Oklahoma, Texas, California, and New Mexico, and thereafter recommended for ratification by the representatives of the States of Arkansas, Colorado, Illinois, Kansas, and Michigan, and subsequently ratified by the States of New Mexico, Kansas, Oklahoma, Illinois, Colorado, and Texas, which said compact was deposited in the Department of State of the United States, and thereafter such compact was, by the President, presented to the Congress and the Congress gave consent to such compact by H. J. Res. 407, approved August 27, 1935 (Public Resolution Numbered 64, Seventy-fourth Congress), and which said compact was thereafter extended and renewed for a period of two years from September 1, 1937, by an agreement executed in New Orleans, Louisiana, the 10th day of May 1937, by the representatives of the States of Oklahoma, Texas, Kansas, and New Mexico, and was duly ratified by the States of Oklahoma, Texas, Kansas, New Mexico, Illinois, and Colorado, and was deposited in the Department of State of the United States, and thereafter such extended and renewed compact was, by the President, presented to the Congress and the Congress gave consent to such extended and renewed compact by S. J. Res. 183, approved August 10, 1937 (Public Resolution Numbered 57, Seventy-fifth Congress), and which said compact was thereafter extended and renewed for a period of two years from September 1, 1939, by an agreement duly executed and ratified by the States of Oklahoma, Texas, Kansas, Colorado, New Mexico, and Michigan, and was deposited in the Department of State of the United States, thereafter such extended and renewed compact was, by the President, presented to the Congress and the Congress gave consent to such extended and renewed compact by H. J. Res. 329, approved July 20, 1939 (Public Resolution Numbered 31, Seventy-sixth Congress), and which said compact was thereafter extended and renewed for a period of two years from September 1, 1941, by an agreement duly executed and ratified by the States of Texas, Oklahoma, Kansas, Colorado, New Mexico, Illinois, Michigan, Arkansas, Louisiana, New York, and Pennsylvania, and was deposited in the Department of State of the United States, and thereafter such extended and renewed compact was, by the President, presented to Congress and the Congress gave consent to such extended and renewed

compact by H. J. Res. 228, approved August 21, 1941 (Public Law, 246, Seventy-seventh Congress), and which compact was thereafter extended and renewed for a period of four years from September 1, 1943, by an agreement executed and ratified by representatives of the States of Kansas, Oklahoma, Texas, Colorado, New Mexico, Arkansas, Louisiana, and Kentucky, and was deposited in the Department of State of the United States and thereafter such extended and renewed compact was, by the President of the United States, presented to Congress and the Congress gave consent to such extended and renewed compact by H. J. Res. 139, approved July 7, 1943 (Public Law 117, Seventy-eighth Congress), and thereafter the representatives of the States of Montana, West Virginia, Alabama, Illinois, Michigan, New York, Pennsylvania, Ohio, Florida, Tennessee, and Indiana, executed counterparts of said agreement, and said counterparts so executed were deposited in the Department of State of the United States. The extended and renewed compact dated the 1st day of February 1947, duly executed by the representatives of the States of Alabama, Arkansas, Colorado, Florida, Kansas, Louisiana, Montana, New Mexico, New York, Ohio, Oklahoma, Pennsylvania, Texas, West Virginia, Tennessee, and Indiana, and which extended and renewed compact has been deposited in the Department of State of the United States, reads as follows:

55 Stat. 666.

57 Stat. 383.

Text of compact.

**“AN AGREEMENT TO EXTEND THE INTERSTATE  
COMPACT TO CONSERVE OIL AND GAS**

“WHEREAS, on the 16th day of February 1935, in the City of Dallas, Texas, there was executed ‘AN INTERSTATE COMPACT TO CONSERVE OIL AND GAS’ which was thereafter formally ratified and approved by the States of Oklahoma, Texas, New Mexico, Illinois, Colorado, and Kansas, the original of which is now on deposit with the Department of State of the United States, a true copy of which follows:

**“‘AN INTERSTATE COMPACT TO CONSERVE OIL AND GAS**

**“‘ARTICLE I**

“‘This agreement may become effective within any compacting state at any time as prescribed by that state, and shall become effective within those states ratifying it whenever any three of the states of Texas, Oklahoma, California, Kansas, and New Mexico have ratified and Congress has given its consent. Any oil-producing state may become a party hereto as hereinafter provided.

**“‘ARTICLE II**

“‘The purpose of this compact is to conserve oil and gas by the prevention of physical waste thereof from any cause.

**“‘ARTICLE III**

“‘Each state bound hereby agrees that within a reasonable time it will enact laws, or if laws have been enacted, then it agrees to continue the same in force, to accomplish within reasonable limits the prevention of:

- “(a) The operation of any oil well with an inefficient gas-oil ratio.
- “(b) The drowning with water of any stratum capable of producing oil or gas, or both oil and gas, in paying quantities.
- “(c) The avoidable escape into the open air or the wasteful burning of gas from a natural gas well.
- “(d) The creation of unnecessary fire hazards.

“(e) The drilling, equipping, locating, spacing or operating of a well or wells so as to bring about physical waste of oil or gas or loss in the ultimate recovery thereof.

“(f) The inefficient, excessive or improper use of the reservoir energy in producing any well.

“The enumeration of the foregoing subjects shall not limit the scope of the authority of any state.

#### “ARTICLE IV

“Each state bound hereby agrees that it will, within a reasonable time, enact statutes, or if such statutes have been enacted then that it will continue the same in force, providing in effect that oil produced in violation of its valid oil and/or gas conservation statutes or any valid rule, order or regulation promulgated thereunder, shall be denied access to commerce; and providing for stringent penalties for the waste of either oil or gas.

#### “ARTICLE V

“It is not the purpose of this compact to authorize the states joining herein to limit the production of oil or gas for the purpose of stabilizing or fixing the price thereof, or create or perpetuate monopoly, or to promote regimentation, but is limited to the purpose of conserving oil and gas and preventing the avoidable waste thereof within reasonable limitations.

#### “ARTICLE VI

“Each State joining herein shall appoint one representative to a commission hereby constituted and designated as

#### THE INTERSTATE OIL COMPACT COMMISSION,

the duty of which said commission shall be to make inquiry and ascertain from time to time such methods, practices, circumstances and conditions as may be disclosed for bringing about conservation and the prevention of physical waste of oil and gas, and at such intervals as said commission deems beneficial it shall report its findings and recommendations to the several States for adoption or rejection.

“The Commission shall have power to recommend the coordination of the exercise of the police powers of the several states within their several jurisdictions to promote the maximum ultimate recovery from the petroleum reserves of said states, and to recommend measures for the maximum ultimate recovery of oil and gas. Said Commission shall organize and adopt suitable rules and regulations for the conduct of its business.

“No action shall be taken by the Commission except: (1) by the affirmative votes of the majority of the whole number of the compacting States represented at any meeting, and (2) by a concurring vote of a majority in interest of the compacting States at said meeting, such interest to be determined as follows: such vote of each State shall be in the decimal proportion fixed by the ratio of its daily average production of the compacting States during said period.

#### “ARTICLE VII

“No State by joining herein shall become financially obligated to any other State, nor shall the breach of the terms hereof by any State subject such State to financial responsibility to the other States joining herein.

## “ARTICLE VIII

“This compact shall expire September 1, 1937. But any State joining herein may, upon sixty (60) days notice, withdraw herefrom.

“The representatives of the signatory States have signed this agreement in a single original which shall be deposited in the archives of the Department of State of the United States, and a duly certified copy shall be forwarded to the Governor of each of the signatory States.

“This compact shall become effective when ratified and approved as provided in Article I. Any oil producing State may become a party hereto by affixing its signature to a counterpart to be similarly deposited, certified, and ratified.”

“WHEREAS, the said Interstate Compact to Conserve Oil and Gas has heretofore been duly renewed and extended with the consent of the Congress to September 1, 1947; and,

“WHEREAS, it is desired to renew and extend the said Interstate Compact to Conserve Oil and Gas for a period of four (4) years from September 1, 1947, to September 1, 1951;

“NOW, THEREFORE, THIS WRITING WITNESSETH:

“It is hereby agreed that the Compact entitled

“AN INTERSTATE COMPACT TO CONSERVE OIL  
AND GAS’

executed in the City of Dallas, Texas, on the 16th day of February, 1935, and now on deposit with the Department of State of the United States, a correct copy of which appears above, be, and the same hereby is, extended for a period of four (4) years from September 1, 1947, its present date of expiration. This agreement shall become effective when executed, ratified, and approved as provided in Article I of the original Compact.

“The signatory states have executed this agreement in a single original which shall be deposited in the archives of the Department of State of the United States and a duly certified copy thereof shall be forwarded to the Governor of each of the signatory states. Any oil producing state may become a party hereto by executing a counterpart of this agreement to be similarly deposited, certified, and ratified.

“EXECUTED as of the first day of February, 1947, by the several undersigned states, at their several capitols, through their proper officials as duly authorized by statutes and resolutions, subject to the limitations and qualifications of the acts of the respective State Legislatures.”

SEC. 2. The right to alter, amend, or repeal the provisions of section 1 is hereby expressly reserved.

Approved July 12, 1947.

## [CHAPTER 245]

## AN ACT

To amend section 3179 (b) of the Internal Revenue Code.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subsection (b) of section 3179 of the Internal Revenue Code is amended to read as follows:

“(b) DRAWBACK.—Upon the exportation of distilled spirits and wines manufactured or produced in the United States on which an internal-revenue tax has been paid, and which are contained in any

July 14, 1947

[H. R. 959]

[Public Law 185]

53 Stat. 377.  
26 U. S. C. § 3179 (b).

Distilled spirits and  
wines.

cask or package or in bottles packed in cases or other containers, there shall be allowed, under regulations to be prescribed by the Commissioner, with the approval of the Secretary, a drawback equal in amount to the tax found to have been paid on such distilled spirits and wines: *Provided*, That such distilled spirits and wines have been packaged or bottled especially for export, under regulations prescribed by the Commissioner, with the approval of the Secretary. The Commissioner, with the approval of the Secretary, is authorized to prescribe regulations governing the determination and payment of drawback of internal-revenue tax on domestic distilled spirits and wines, including the requirement of such notices, bonds, bills of lading, and other evidence of payment of tax and exportation as shall be deemed necessary."

Approved July 14, 1947.

[CHAPTER 246]

AN ACT

July 14, 1947  
[H. R. 1946]  
[Public Law 186]

To amend sections 2801 (e) (4), 3043 (a), 3044 (b), and 3045 of the Internal Revenue Code.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Internal Revenue Code be, and it is hereby, amended as follows:

53 Stat. 301.  
26 U. S. C. § 2801 (e)  
(4).

1. Section 2801 (e) (4) of the Internal Revenue Code is amended (a) by deleting from the second sentence thereof the words "having no interior communication with any other department or part of such premises", and (b) by adding immediately at the end thereof the following new sentence: "The provisions of this paragraph shall apply in the same manner and to the same extent to aperitif wines other than vermouth."

53 Stat. 354.  
26 U. S. C. § 3043 (a).

2. Section 3043 (a), Internal Revenue Code, is amended by deleting the colon in the second sentence thereof and inserting in lieu thereof the following: "nor to apply to or prohibit the fermentation of grape wine retsina with resin on bonded winery premises:"

53 Stat. 355.  
26 U. S. C. § 3044 (b).

3. Section 3044 (b), Internal Revenue Code, is amended by deleting the words "and not more than 13 per centum of alcohol after complete fermentation," and inserting in lieu thereof the words "and not more than 13 per centum of alcohol after complete fermentation or, if sweetened, after complete fermentation and sweetening,"

53 Stat. 355.  
26 U. S. C. § 3045.

4. Section 3045, Internal Revenue Code, is amended by deleting the period at the end thereof and adding the following: " : *Provided*, That in the case of wines produced from loganberries, currants, or gooseberries, respectively, having a normal acidity of twenty parts or more per thousand, the volume of the resultant product may be increased more than 35 per centum but not more than 60 per centum by the addition of sugar and water solution under such regulations as the Commissioner of Internal Revenue may prescribe."

Approved July 14, 1947.

[CHAPTER 247]

AN ACT

July 14, 1947  
[H. R. 1946]  
[Public Law 187]

To amend section 2801 (e) of the Internal Revenue Code.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That subsection (e) of section 2801 of the Internal Revenue Code be, and it is hereby, amended by adding the following new numbered paragraph:

53 Stat. 301.  
26 U. S. C. § 2801 (e).  
*Supra*.

"(5) BLENDING OF BEVERAGE BRANDIES.—Fruit brandies distilled from the same kind of fruit at not more than one hundred and

seventy degrees proof may, for the sole purpose of perfecting such brandies according to commercial standards, be mixed or blended with each other, or with any such mixture or blend, by the distiller thereof in any internal revenue bonded warehouse operated by him exclusively for the storage of brandy or wine spirits, and the provisions of this section and of sections 2800 (a) (5) and 3254 (g) relating to rectification or other internal revenue laws of the United States shall not be held to apply to or prohibit such mixing or blending, and brandies so mixed or blended may be packaged, stored, transported, transferred in bond, withdrawn from bond tax-paid or tax-free, or be otherwise disposed of, in the same manner as such brandies not so mixed or blended: *Provided*, That, in addition to the tax imposed by this chapter on the production of distilled spirits, there shall be paid a tax of 30 cents as to each proof gallon (and a proportionate tax at a like rate on all fractional parts of such proof gallon) of brandy so mixed or blended (except when withdrawn tax-free and accounted for or when lost and allowance is made therefor), such tax to be paid by rectified spirits stamps affixed to the packages at the time of withdrawal. The Commissioner, under rules and regulations to be by him prescribed with the approval of the Secretary, upon the presentation of proof to his satisfaction of the loss by leakage, evaporation, theft, or otherwise of fruit brandies so blended or mixed, not occurring as the result of any negligence, connivance, collusion, or fraud on the part of the warehouseman or his agents, is hereby authorized to remit or refund the taxes assessed or paid upon such lost brandies: *Provided, however*, That such remission or refund shall be allowed only to the extent that the warehouseman is not indemnified or recompensed for such tax, and that losses of fruit brandies occurring prior to any such mixing or blending shall be allowable in accordance with section 2901. The term 'distiller' as used herein shall include any one or more distillers associated as members of any farm cooperative, or any one or more distillers affiliated within the meaning of section 17 (a) (5) of the Federal Alcohol Administration Act, as amended, or any fruit distiller for whose account, recorded with the district supervisor at the time of production, the brandy to be blended was produced. The Commissioner may, with the approval of the Secretary, make such rules or regulations as he may deem necessary to carry these provisions into effect."

Approved July 14, 1947.

[CHAPTER 248]

AN ACT

To extend certain powers of the President under title III of the Second War Powers Act and the Export Control Act, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That this Act shall be cited as the "Second Decontrol Act of 1947".

FINDINGS OF FACT AND DECLARATION OF POLICY

SEC. 2. (a) Certain materials and facilities continue in short supply at home and abroad as a result of the war. The continued exercise of certain limited emergency powers is required to complete the orderly reconversion of the domestic economy from a wartime to a peacetime basis, to protect the health, safety, and welfare of the American people, and to support the foreign policy of the United States.

53 Stat. 298, 392.  
26 U. S. C. §§ 2800  
(a) (5), 3254 (g).

53 Stat. 340.  
26 U. S. C. § 2901.  
"Distiller."

49 Stat. 990.  
27 U. S. C. § 211 (a)  
(5).

Rules and regulations.

July 15, 1947  
[H. R. 3647]  
[Public Law 188]

Second Decontrol  
Act of 1947.  
*Ante*, p. 34.

Policy of the U. S.

(b) The Congress hereby declares that it is the general policy of the United States to eliminate emergency wartime controls of materials except to the minimum extent necessary (1) to protect the domestic economy from the injury which would result from adverse distribution of materials which continue in short world supply; (2) to promote production in the United States by assisting in the expansion and maintenance of production in foreign countries of materials critically needed in the United States; (3) to make available to countries in need, consistent with the foreign policy of the United States, those commodities whose unrestricted export to all destinations would not be appropriate; and (4) to aid in carrying out the foreign policy of the United States.

#### TEMPORARY RETENTION OF CERTAIN EMERGENCY POWERS

SEC. 3. To effectuate the policies set forth in section 2 hereof, title XV, section 1501, of the Second War Powers Act, 1942, approved March 27, 1942, as amended, is amended to read as follows:

*Ante*, pp. 34, 214.  
Time limitation.

*Ante*, pp. 34, 214.

56 Stat. 176-180, 181,  
186.  
50 U. S. C. app.  
§§ 631-635, 637, 644-  
644b.  
*Ante*, pp. 25, 34; *post*,  
p. 946.

54 Stat. 676.  
50 U. S. C. app.  
§ 1152 (a).

Priorities powers.  
56 Stat. 177.  
50 U. S. C. app.  
§ 633.  
*Ante*, pp. 25, 34; *post*,  
p. 946.

"Sec. 1501. (a) Except as otherwise provided by statute enacted during the Eightieth Congress (including the First Decontrol Act of 1947 and Public Law Numbered 145, approved June 30, 1947) and except as otherwise provided by subsection (b) of this section, titles I, II, III, IV, V, VII, and XIV of this Act and the amendments to existing law made by such titles shall remain in force only until March 31, 1947. After the amendments made by any such title cease to be in force, any provisions of law amended thereby (except subsection (a) of section 2 of the Act entitled 'An Act to expedite national defense, and for other purposes', approved June 28, 1940, as amended) shall be in full force and effect as though this Act had not been enacted.

"(b) Title III of this Act and the amendments to existing law made by such title shall remain in force until February 29, 1948, for the exercise of the powers, authority, and discretion thereby conferred on the President, but limited to—

"(1) the materials (and facilities suitable for the manufacture of such materials), as follows:

"(A) Tin and tin products, except for the purpose of exercising import control of tin ores and tin concentrates;

"(B) Antimony;

"(C) Cinchona bark, quinine, and quinidine, when held by any Government agency or after acquisition (whether prior to, on, or after July 16, 1947) from any Government agency, either directly or through intermediate distributors, processors, or other channels of distribution, or when made from any of such materials so acquired;

"(D) Materials for export required to expand or maintain the production in foreign countries of materials critically needed in the United States, for the purpose of establishing priority in production and delivery for export, and materials necessary for manufacture and delivery of the materials required for such export;

"(E) Fats and oils (including oil-bearing materials, fatty acids, butter, soap, and soap powder, but excluding petroleum and petroleum products) and rice and rice products, for the purpose of exercising import control only; and nitrogenous fertilizer materials for the purposes of exercising import control and of establishing priority in production and delivery for export;

“(F) Materials (except foods and food products, manila (abaca) fiber and cordage, agave fiber and cordage, and fertilizer materials), including petroleum and petroleum products, required for export, but only upon certification by the Secretary of State that the prompt export of such materials is of high public importance and essential to the successful carrying out of the foreign policy of the United States, for the purpose of establishing priority in production and delivery for export, and materials necessary for the manufacture and delivery of the materials required for such export: *Provided*, That no such priority based on a certification by the Secretary of State shall be effective unless and until the Secretary of Commerce shall have satisfied himself that the proposed action will not have an unduly adverse effect on the domestic economy of the United States; and

“(2) The use of transportation equipment and facilities by rail carriers.

“(c) Notwithstanding the extension through February 29, 1948, made by subsection (b), the Congress by concurrent resolution or the President may designate an earlier time for the termination of any power, authority, or discretion under such title III. Nothing in subsection (b) shall be construed to continue beyond July 15, 1947, any authority under paragraph (1) of subsection (a) of section 2 of the Act entitled ‘An Act to expedite national defense and for other purposes’, approved June 28, 1940, as amended, to negotiate contracts with or without advertising or competitive bidding; and nothing contained in this section, as amended, shall affect the authority conferred by Public Law 24. Eightieth Congress, approved March 29, 1947, or the Sugar Control Extension Act of 1947.”

Restriction.

Designation of earlier termination.

56 Stat. 177.  
50 U. S. C. app. § 633.

*Ante*, pp. 25, 34, 322; *post*, p. 946.

54 Stat. 676.  
50 U. S. C. app. § 1152 (a) (1).

*Ante*, p. 24.

*Ante*, p. 35.

#### TEMPORARY EXTENSION OF CERTAIN EXPORT CONTROLS

SEC. 4. To effectuate the policy set forth in section 2 hereof, section 6 (d) of the Act of July 2, 1940 (54 Stat. 714), as amended, is amended to read as follows:

“(d) The authority granted by this section shall terminate on February 29, 1948, or any prior date which the Congress by concurrent resolution or the President may designate.”

56 Stat. 463.  
50 U. S. C. app. § 701 (d).  
*Ante*, p. 214; *post*, p. 946.

#### EXEMPTION FROM ADMINISTRATIVE PROCEDURE ACT

SEC. 5. The functions exercised under title III of the Second War Powers Act, 1942, as amended (including the amendments to existing law made by such title), and the functions exercised under section 6 of such Act of July 2, 1940, as amended, shall be excluded from the operation of the Administrative Procedure Act (60 Stat. 237), except as to the requirements of sections 3 and 10 thereof.

*Supra*.  
54 Stat. 714.  
50 U. S. C. app. § 701.  
*Supra*.  
5 U. S. C. §§ 1001-1011.  
*Ante*, pp. 37, 201.  
60 Stat. 238, 243.  
5 U. S. C. §§ 1002, 1009.

#### ADMINISTRATION BY SECRETARY OF COMMERCE

SEC. 6. (a) The Secretary of Commerce, subject to the direction of the President, shall have power to establish policies and programs to effectuate the general policies set forth in section 2 of this Act, and to exercise over-all control, with respect to the functions, powers, and duties delegated by the President under title III of the Second War Powers Act, 1942, as amended, and section 6 of the Act entitled “An Act to expedite the strengthening of the national defense”, approved July 2, 1940, as amended. The Secretary is further authorized, subject to the direction of the President, to approve or disapprove any

*Supra*.



Rules and regulations.

Quarterly report.

56 Stat. 177.  
50 U. S. C. app.  
§ 633.  
*Ante*, pp. 25, 34, 322;  
*post*, p. 946.  
*Infra*.

56 Stat. 176.  
50 U. S. C. app.  
§§ 631-645a.  
*Ante*, pp. 25, 34, 214,  
322; *post*, p. 946.  
54 Stat. 714.  
50 U. S. C. app.  
§ 701.  
*Ante*, pp. 214, 323;  
*post*, p. 946.

*Supra*.

*Supra*.

Appropriations authorized.  
*Post*, p. 618.

action taken under such delegated authority, and may promulgate such rules and regulations as may be necessary to enable him to perform the functions, powers, and duties imposed upon him by this section.

(b) The Secretary shall make a quarterly report, within thirty days after each quarter, to the President and to the Congress of his operations under the authority conferred on him by this section. Each such report shall contain a recommendation by him as to whether the controls exercised under title III of the Second War Powers Act, 1942, as amended, and section 6 of the Act entitled "An Act to expedite the strengthening of the national defense", approved July 2, 1940, as amended, should or should not be continued, together with the current facts and reasons therefor. Each such report shall also contain detailed information with respect to licensing procedures under such Acts, allocations and priorities under the Second War Powers Act, 1942, as amended, and the allocation or nonallocation to countries of materials and commodities (together with the reasons therefor) under section 6 of the Act entitled "An Act to expedite the strengthening of the national defense", approved July 2, 1940, as amended.

#### PERSONNEL

SEC. 7. Notwithstanding any other law to the contrary, personnel engaged in the performance of duties related to functions, powers, and duties delegated by the President under the Second War Powers Act of 1942, as amended, and section 6 of the Act entitled "An Act to expedite the strengthening of the national defense", approved July 2, 1940, as amended, and whose employment was terminated, or who were furloughed, in June or July 1947, may be reemployed to perform duties in connection with the functions, powers, and duties extended by this Act.

#### APPROPRIATIONS

SEC. 8. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the purposes of this Act.

#### EFFECTIVE DATE

SEC. 9. This Act shall take effect on July 16, 1947.

Approved July 15, 1947.

#### [CHAPTER 249]

#### AN ACT

July 15, 1947  
[H. R. 3861]  
[Public Law 189]

To allow to a successor railroad corporation the benefits of certain carry-overs of a predecessor corporation for the purposes of certain provisions of the Internal Revenue Code.

Railroad corporations.  
Acquisition of certain property.  
47 Stat. 1481.  
11 U. S. C. § 205 (m).

47 Stat. 1474.  
11 U. S. C. § 205.

56 Stat. 839.  
26 U. S. C. § 113 (a)  
(20).

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That (a) if a railroad corporation (as defined in section 77m of the National Bankruptcy Act, as amended) (hereinafter referred to as successor corporation) has acquired, prior to January 1, 1950, property from another such railroad corporation (hereinafter referred to as predecessor corporation) in a receivership proceeding, or in a proceeding under section 77 of the National Bankruptcy Act, as amended, and if the basis of the property so acquired is determined under section 113 (a) (20) of the Internal Revenue Code, then, for the purposes of the determination under the Internal Revenue Code of—

(1) the "net operating loss carry-over" from any taxable year beginning after December 31, 1938, under the law applicable to such taxable year, and

Carry-overs to successor corporations.

(2) the "excess profits credit carry-over" or the "unused excess profits credit carry-over" from any taxable year beginning after December 31, 1939, under the law applicable to such taxable year, the net operating losses and the unused excess profits credits of such predecessor corporation for the taxable year in which the acquisition occurred and for the two preceding taxable years shall be carry-overs to such successor corporation in the manner and to the extent provided in regulations prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, as necessary to apply such net operating losses and unused excess profits credits as carry-overs so far as possible as if the predecessor corporation had been made use of in such proceeding instead of the successor corporation.

(b) For the purposes of this section, the taxable year of the successor corporation in which the acquisition occurred shall be considered as a taxable year succeeding the taxable year of the predecessor corporation in which the acquisition occurred.

Taxable year.

(c) For the purposes of this section, if the period, beginning on the first day of the taxable year of the predecessor corporation in which the acquisition occurred and ending on the last day of the taxable year of the successor corporation in which the acquisition occurred, is not more than twelve months, the number of taxable years to which such net operating loss or unused excess profits credit is a carry-over shall be three instead of two, and such regulations shall prescribe (as nearly as possible in the same manner as provided in section 122 (b) (2) and section 710 (c) (3) (B) of such code) the amount to be carried over to the last of such succeeding years.

SEC. 2. (a) In the case of any taxable year of the successor corporation, if—

53 Stat. 867; 56 Stat. 900.  
26 U. S. C. §§ 122(b) (2), 710 (c) (3) (B).  
Taxes of successor corporation.

(1) the aggregate for such taxable year of the taxes of the successor corporation imposed by chapter 1 and subchapter E of chapter 2 of the Internal Revenue Code, computed without regard to this Act,

53 Stat. 4; 54 Stat. 975.  
26 U. S. C. §§ 1-421, 710-784.  
*Ante*, pp. 6, 179; *post*, pp. 714, 918, 919, 920

is less than the amount of—

(2) the aggregate of such taxes (determined under regulations prescribed by the Commissioner with the approval of the Secretary) that would have been imposed on the predecessor corporation for such taxable year if the predecessor corporation had been made use of in such proceeding instead of the successor corporation,

then the taxes of the successor corporation for such taxable year shall be the taxes computed without regard to this Act.

(b) In the case of any taxable year to which subsection (a) of this section is not applicable, if—

(1) the aggregate for such taxable year of the taxes of the successor corporation imposed by chapter 1 and subchapter E of chapter 2 of the Internal Revenue Code, computed without regard to this section,

*Supra*.

is less than the amount of—

(2) the aggregate of such taxes (determined under regulations prescribed by the Commissioner with the approval of the Secretary) that would have been imposed on the predecessor corporation for such taxable year if the predecessor corporation had been made use of in such proceeding instead of the successor corporation,

then the taxes of the successor corporation for such taxable year shall be the taxes so determined under regulations as the taxes that would have been imposed on the predecessor corporation for such taxable year.

Applicability of section.

(c) This section shall be applicable to those taxable years of the successor corporation to which there is a carry-over of a net operating loss or unused excess profits credit under section 1, and to any later taxable year for which a net operating loss deduction or unused excess profits credit adjustment results or is increased by reason of the use in another year of a carry-over permitted under section 1.

Two or more predecessor or successor corporations.

SEC. 3. Where there are two or more predecessor corporations or two or more successor corporations, the provisions of sections 1 and 2 of this Act shall be applied only to such extent and subject to such conditions, limitations, and exceptions as the Commissioner, with the approval of the Secretary, may by regulations prescribe.

Refund or credit of overpayment.

SEC. 4. If the allowance of a credit or refund of an overpayment of tax resulting from the application of this Act is prevented, on the date of the enactment of this Act or within one year from such date, by the operation of any law or rule of law other than this section and other than section 3761 of the Internal Revenue Code, such overpayment shall be refunded or credited in the manner provided in the Internal Revenue Code if claim therefor is filed within one year from the date of the enactment of this Act. No interest shall be allowed or paid on any overpayment or deficiency resulting from the application of this Act.

53 Stat. 462.  
26 U. S. C. § 3761.

Approved July 15, 1947.

#### [CHAPTER 250]

#### AN ACT

July 15, 1947  
[S. 1420]  
[Public Law 190]

To authorize the issuance of certain public-improvement bonds by the Territory of Hawaii.

Hawaii.  
Issuance of public-improvement bonds.

31 Stat. 141.  
48 U. S. C. § 493  
note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, during the years 1947 to 1951, inclusive, the Territory of Hawaii is authorized and empowered to issue, any provision of the Hawaiian Organic Act or any other Act of Congress to the contrary notwithstanding, public-improvement bonds in such amounts as will not cause the total indebtedness of such Territory to exceed \$35,000,000. Any extension of the total indebtedness of such Territory beyond \$35,000,000 shall be made solely in conformity with the Hawaiian Organic Act.

Payment.

SEC. 2. All bonds issued pursuant to section 1 shall be serial bonds payable in substantially equal annual installments, with the first such installment maturing not later than five years from the date of issue and the last such installment maturing not later than thirty years from such date.

Approval of President.

SEC. 3. Bonds shall not be issued pursuant to section 1 without the approval of the President of the United States.

Approved July 15, 1947.

#### [CHAPTER 251]

#### AN ACT

July 15, 1947  
[S. 1421]  
[Public Law 191]

To provide for the appointment of one additional Assistant Secretary of Commerce, and for other purposes.

Assistant Secretaries of Commerce.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there shall be in the Department of Commerce one additional Assistant Secretary

of Commerce, who shall be appointed by the President, by and with the advice and consent of the Senate. The Secretary of Commerce may assign to his Assistant Secretaries such duties, including the direction of the Bureau of Foreign and Domestic Commerce, as he shall prescribe, or may be required by law. The Assistant Secretaries of Commerce shall be without numerical distinction of rank and shall have salaries of \$10,000 per annum.

Approved July 15, 1947.

## [CHAPTER 255]

## AN ACT

To authorize the Secretary of Commerce to sell certain property occupied by the Weather Bureau at East Lansing, Michigan, and to obtain other quarters for the said Bureau in the State of Michigan.

July 16, 1947

[S. 640]

[Public Law 192]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, any other law to the contrary notwithstanding, the Secretary of Commerce is authorized to sell, in such manner and on such terms and conditions as he deems to be to the best interest of the United States, to the Michigan State College of Agriculture and Applied Science the Weather Bureau station located on the campus of the said college, to convey such property to the said college by quitclaim deed, and to deposit the proceeds of such sale in the Treasury as a miscellaneous receipt: *Provided*, That the sale of the Weather Bureau property to the Michigan State College of Agriculture and Applied Science shall not be consummated, and the Weather Bureau shall not be required to vacate said property, unless and until the said Bureau shall have obtained and occupied other quarters in the State of Michigan, either by construction of a new building or by rental of, or other means of obtaining, such quarters.

Michigan State College of Agriculture and Applied Science.  
Weather Bureau station.

Approved July 16, 1947.

## [CHAPTER 256]

## AN ACT

To repeal the Post Roads Act of 1866, as amended, and for other purposes.

July 16, 1947

[S. 816]

[Public Law 193]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Post Roads Act of 1866, as amended (Revised Statutes, secs. 5263–5269, inclusive; U. S. C., title 47, secs. 1–6, inclusive, and 8), is hereby repealed.

Post Roads Act of 1866, repeal.

SEC. 2. Nothing in this Act shall limit the authority of the Federal Communications Commission under the provisions of the Communications Act of 1934, as amended, to prescribe charges, classifications, regulations, and practices, including priorities, applicable to Government communications.

48 Stat. 1064.  
47 U. S. C. § 609.  
Post, pp. 450, 451, 454.

SEC. 3. This Act shall take effect on the tenth day following the enactment date thereof.

Effective date.

Approved July 16, 1947.

## [CHAPTER 257]

## JOINT RESOLUTION

Authorizing the erection in the District of Columbia of a memorial to Andrew W. Mellon.

July 16, 1947

[H. J. Res. 170]

[Public Law 194]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is hereby authorized and directed to grant authority to the

Approval of design,  
etc.

Time limitation.

Andrew W. Mellon Memorial Committee to erect a memorial fountain on public grounds in the vicinity of the intersection of Pennsylvania and Constitution Avenues, in the District of Columbia, such grounds being now owned by the United States: *Provided*, That the design and location of the memorial shall be approved by the National Commission of Fine Arts and the National Capital Park and Planning Commission, and the United States shall be put to no expense in or by the erection of this memorial: *Provided further*, That unless funds, which in the estimation of the Secretary of the Interior are sufficient to insure the completion of the memorial, are certified available, and the erection of this memorial begun within five years from and after the date of passage of this joint resolution, the authorization hereby granted is revoked.

Approved July 16, 1947.

[CHAPTER 258]

AN ACT

To provide revenue for the District of Columbia, and for other purposes.

July 16, 1947  
[H. R. 3737]  
[Public Law 195]

District of Colum-  
bia Revenue Act of  
1947.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That this Act, divided into articles, may be cited as the "District of Columbia Revenue Act of 1947", and that article I of this Act may be cited as the "District of Columbia Income and Franchise Tax Act of 1947".

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## ARTICLE I—INCOME AND FRANCHISE TAX ACT

District of Columbia Income and Franchise Tax Act of 1947.

### TITLE I—REPEAL OF PRIOR INCOME TAX ACT AND APPLICABILITY OF THIS ARTICLE; GENERAL DEFINITIONS

SEC. 1. REPEAL OF PRIOR INCOME TAX ACT.—The District of Columbia Income Tax Act as approved and enacted July 26, 1939, and as amended, is hereby repealed with respect to taxable years or portions thereof beginning on and after the 1st day of January 1947 for all purposes, except the following purposes in connection with taxes due or accrued under said District of Columbia Income Tax Act:

53 Stat. 1085.  
D. C. Code §§ 47-1501 to 47-1543.

(a) For the imposition of assessments and penalties, civil and criminal, for the violation of or failure to comply with any provisions of such Act and the regulations prescribed thereunder;

(b) For requiring the making, filing, and submission of returns and reports required by such Act;

(c) For the examination of all books, records, and other documents, and witnesses;

(d) For the assessment and collection of the taxes imposed by such Act, and the filing of liens therefor; and

(e) For the allowance of refunds of overpayments of any taxes assessed under the provisions of such Act.

SEC. 2. APPLICABILITY OF ARTICLE.—The provisions of this Article shall apply to the taxable year or part thereof beginning on the 1st day of January 1947 and to succeeding taxable years.

SEC. 3. RETURNS UNDER PRIOR INCOME TAX ACT AND RETURNS FOR FIRST TAXABLE YEAR TO WHICH THIS ARTICLE IS APPLICABLE.—If the taxable year of any person ends on the last day of any month other than December prior to the 1st day of January 1947, such person shall file his return for such taxable year under the provisions of the District of Columbia Income Tax Act as approved and enacted July 26, 1939, and as amended, and pay the taxes imposed by said Act on his income for such taxable year at the times specified therefor in said Act. Such taxpayer shall also file his return of income, received or accrued, according to his method of accounting, during the period between the last day of such taxable year and the 1st day of January 1947 under the provisions of the District of Columbia Income Tax Act as approved July 26, 1939, and as amended, and pay the taxes imposed by said Act on his income for such period at the times specified therefor in said Act. Such portion of such person's income as is received or accrued, according to his method of accounting, during taxable years or parts thereof to which this article is applicable shall be reported and taxed under the provisions of this article: *Provided, however*, That any person whose taxable year ends subsequent to the 1st day of January 1947 may irrevocably elect to file his return of his income for such entire taxable year and pay the taxes imposed thereon under the provisions of this article.

53 Stat. 1085.  
D. C. Code §§ 47-1501 to 47-1543.

*Supra*.



SEC. 4. GENERAL DEFINITIONS.—For the purposes of this article and wherever appearing herein, unless otherwise required by the context—

"District."

(a) The word "District" means the District of Columbia.

"Commissioners."

(b) The word "Commissioners" means the Commissioners of the District of Columbia or their duly authorized representative or representatives.

"Assessor."

(c) The word "Assessor" means the Assessor of the District of Columbia or his duly authorized representative or representatives.

"Collector."

(d) The word "Collector" means the Collector of Taxes of the District of Columbia or his duly authorized representative or representatives.

"Person."

(e) The word "person" means an individual (other than a fiduciary), a fiduciary, a partnership (other than an unincorporated business), an association, an unincorporated business, and a corporation.

"Individual."

(f) The word "individual" means all natural persons (other than fiduciaries), whether married or unmarried.

"Fiduciary."

(g) The word "fiduciary" means a guardian, trustee, executor, committee, administrator, receiver, conservator, or any other person acting in any fiduciary capacity for any person.

"Trade or business."

(h) The words "trade or business" include the engaging in or carrying on of any trade, business, profession, vocation or calling or commercial activity in the District of Columbia; and include the performance of the functions of a public office.

"Taxpayer."

(i) The word "taxpayer" means any person required by this Article to pay a tax, file a return or report, or apply for a license.

"Fiscal year."

(j) The words "fiscal year" mean an accounting period of twelve months ending on the last day of any month other than December.

"Taxable year."

(k) The words "taxable year" mean the calendar year or the fiscal year, upon the basis of which the net income of the taxpayer is computed under this Article; if no fiscal year has been established by the taxpayer, they mean the calendar year. The phrase "taxable year" includes, in the case of a return made for a fractional part of a calendar or fiscal year under the provisions of this Article or under regulations prescribed by the Commissioners, the period for which such return is made: *Provided, however*, That no taxpayer may change from a calendar year to a fiscal year or from a fiscal year to a calendar year within any taxable year without the written permission of the Assessor.

Change from calendar to fiscal year, etc.

"Capital assets."

(l) The words "capital assets" mean any property, whether real or personal, tangible or intangible, held by the taxpayer for more than two years (whether or not connected with his trade or business), but do not include stock in trade of the taxpayer or other property of a kind which would properly be included in the inventory of the taxpayer if on hand at the end of the taxable year, or property held by the taxpayer primarily for sale to customers in the ordinary course of his trade or business.

"Dividend."

(m) The word "dividend" means any distribution made by a corporation (domestic or foreign) to its stockholders or members, out of its earnings, profits, or surplus (other than paid-in surplus), whenever earned by the corporation and whether made in cash or any other property (other than stock of the same class in the corporation if the recipient of such stock dividend has neither received nor exercised an option to receive such dividend in cash or in property other than stock instead of stock) and whether distributed prior to, during, upon, or after liquidation or dissolution of the corporation: *Provided, however*, That in the case of any dividend which is distributed other than in cash or stock in the same class in the corporation and not exempted from tax under this article, the basis of tax to the recipient thereof shall be the market value of such property at the time of such distribution: *And provided, however*, That the word "dividend" shall not

include any dividend paid by a mutual life insurance company to its shareholders.

(n) The word "stock" includes a share in any association, joint-stock company, or insurance company.

(o) The word "shareholder" includes a member in an association, joint-stock company, or insurance company.

(p) The words "include", "includes", or "including", when used in a definition contained in this article, shall not be deemed to exclude other things otherwise within the meaning of the word or words defined.

(q) The word "deficiency" as used in this Act with respect to any tax imposed by this article means—

(1) the amount or amounts by which the tax imposed by this article as determined by the Assessor exceeds the amount shown as the tax by the taxpayer upon his return; or

(2) the amount assessed as a tax by the Assessor if no return is filed by the taxpayer.

(r) The word "corporation" includes any trust, association, joint-stock company, or partnership which is classed or should be classed as a corporation for purposes of Federal income taxation.

(s) The word "resident" means every individual domiciled within the District on the last day of the taxable year, and every other individual who maintains a place of abode within the District for more than seven months of the taxable year, whether domiciled in the District or not. In the case of any resident who is an elective or appointive officer or an employee of the Government of the United States, and who is domiciled outside the District during the whole of the taxable year, there shall be excluded from the gross income of such resident salaries or wages received from the Government of the United States for services rendered as such officer or employee, and income derived from sources without the District. For the purposes of this Act the domicile of such officer or employee for any taxable year shall be in the State which he expressly declares to be the State of his domicile: *Provided*, That he shall have had a domicile in such State under the laws of such State immediately prior to the beginning of the taxable year for which the tax is claimed. Such declaration must be made in writing, under oath, to the Assessor and the time for filing such declaration shall expire sixty days after written demand to file an income-tax return shall have been received by such officer or employee. As used in this subsection the term "State" means the several States, Territories, and possessions of the United States, and the term "Government of the United States" includes any agency or instrumentality thereof, but does not include the government of the District of Columbia.

(t) The word "nonresident" means every individual other than a resident.

(u) The term "dependent" means any of the following persons over half of whose support, for the calendar year in which the taxable year of the taxpayer begins, was received from the taxpayer:

- (1) A son or daughter of the taxpayer, or a descendant of either.
- (2) A stepson or stepdaughter of the taxpayer.
- (3) A brother, sister, stepbrother, or stepsister of the taxpayer.
- (4) The father or mother of the taxpayer, or an ancestor of either.
- (5) A stepfather or stepmother of the taxpayer.
- (6) A son or daughter of a brother or sister of the taxpayer.
- (7) A brother or sister of the father or mother of the taxpayer.
- (8) A son-in-law, daughter-in-law, father-in-law, mother-in-law, brother-in-law, or sister-in-law of the taxpayer.

"Stock."

"Shareholder."

"Include"; "includes"; "including."

"Deficiency."

"Corporation."

"Resident."

Government officer or employee.

Declaration of domicile.

"State."

"Government of the United States."

"Nonresident."

"Dependent."

"Brother"; "sister."

The terms "brother" and "sister" include a brother or sister of the half-blood. For the purposes of determining whether any of the foregoing relationships exist, a legally adopted child of a person shall be considered a child of such person by blood. The term "dependent" does not include any individual who is a citizen or subject of a foreign country unless such individual is a resident of the United States or of a country contiguous to the United States.

## TITLE II—EXEMPT ORGANIZATIONS

SEC. 1. The following organizations shall be exempt from taxation under this Article:

(a) Labor organizations.

(b) Fraternal beneficiary societies, orders, or associations, (1) operating under the lodge system or for the exclusive benefit of the members of a fraternity itself operating under the lodge system, and (2) providing for the payment of life, sick, or accident benefits to the members of such society, order, or association, or their dependents.

(c) Cemetery companies owned and operated exclusively for the benefit of their members and which are not operated for profit; and any corporation chartered solely for burial purposes as a cemetery corporation and not permitted by its charter to engage in any business not necessarily incident to that purpose, no part of the net earnings of which inures to the benefit of any private individual or shareholder.

(d) Corporations, and any community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, to a substantial extent within the District, no part of the net earnings of which inures to the benefit of any private individual or shareholder, and no part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation.

(e) Business leagues, chambers of commerce, real-estate boards, or boards of trade, not organized or operated for profit and no part of the net earnings of which inures to the benefit of any private individual or shareholder.

(f) Civic leagues or organizations not organized for profit but operated exclusively for the promotion of social welfare, or local associations of employees, the membership of which is limited to the employees of a designated person or persons in a particular municipality, and the net earnings of which are devoted principally to charitable, educational, or recreational purposes within the District.

(g) Banks, trust companies, building and loan associations, insurance companies, companies which guarantee the fidelity of any individual or individuals, such as bonding companies, and companies which furnish abstracts of title or which insure titles to real estate, all of which pay taxes on their gross earnings, premiums, or gross receipts under existing laws of the District.

(h) Corporations organized for the exclusive purpose of holding title to property, collecting income therefrom, and turning over the entire amount thereof, less expenses, to an organization which itself is exempt from the tax imposed by this article.

(i) Corporations organized under Acts of Congress, if such corporations are instrumentalities of the United States and if, under such Acts, as amended and supplemented, such corporations are exempt from Federal income taxes.

(j) Voluntary employees' beneficiary associations providing for the payment of life, sick, or accident benefits to the members of such association or their dependents, if (1) no part of their net earnings inures (other than through such payments) to the benefit of any private

individual or shareholder, and (2) 85 per centum or more of the income consists of amounts collected from members for the sole purpose of making such payments and meeting expenses.

(k) Voluntary employees' beneficiary associations providing for the payment of life, sick, or accident benefits to the members of such association or their dependents or their designated beneficiaries, if (1) admission to membership in such association is limited to individuals who are officers or employees of the United States Government or the Government of the District of Columbia, and (2) no part of the net earnings of such association inures (other than through such payments) to the benefit of any private individual or shareholder.

### TITLE III—NET INCOME, GROSS INCOME AND EXCLUSIONS THEREFROM, AND DEDUCTIONS

SEC. 1. NET INCOME.—For the purposes of this article and whenever appearing herein, unless otherwise required by the context, the words "net income" mean the gross income of a taxpayer less the deductions allowed by this article.

"Net income."

SEC. 2. GROSS INCOME AND EXCLUSIONS THEREFROM.—(a) The words "gross income" include gains, profits, and income derived from salaries, wages, or compensation for personal services of whatever kind and in whatever form paid, including salaries, wages, and compensation paid by the United States to its officers and employees to the extent the same is not exempt under this article, or income derived from any trade or business or sales or dealings in property, whether real or personal, other than capital assets as defined in this article, growing out of the ownership, or sale of, or interest in, such property; also from rent, royalties, interest, dividends, securities, or transactions of any trade or business carried on for gain or profit, or gains or profits, and income derived from any source whatever.

"Gross income."

(b) The words "gross income" shall not include the following:

Exclusions.

(1) PROCEEDS OF LIFE-INSURANCE POLICIES.—The proceeds of life-insurance policies paid by reason of the death of the insured, whether in a single sum or otherwise (but if such amounts are held by the insurer under an agreement to pay interest thereon, the interest payments shall be included in gross income).

(2) ANNUITIES, AND SO FORTH.—(A) Amounts received (other than amounts paid by reason of the death of the insured and interest payments on such amounts and other than amounts received as annuities) under a life-insurance or endowment contract, but if such amounts (when added to amounts received before the taxable year under such contract) exceed the aggregate premiums or consideration paid (whether or not paid during the taxable year), then the excess shall be included in gross income. Amounts received as an annuity under an annuity or endowment contract shall be included in gross income; except that there shall be excluded from gross income the excess of the amount received in the taxable year over an amount equal to 3 per centum of the aggregate premiums or consideration paid for such annuity (whether or not paid during such year), until the aggregate amount excluded from gross income under this title in respect to such annuity equals the aggregate premiums or consideration paid for such annuity. In the case of a transfer for a valuable consideration, by assignment or otherwise, of a life-insurance, endowment, or annuity contract, or any interest therein, only the actual value of such consideration and the amount of the premiums and other sums subsequently paid by the transferee shall be exempt from taxation under subsection (1) or this subsection. This subsection and subsection 2 (b) (1) of this title shall not apply with respect to so much of a

Transfer for a valuable consideration.

*Post*, p. 338.

payment under a life-insurance, endowment, or annuity contract, or any interest therein, as, under section 3 (a) (10) of this title, is includible in the gross income of the recipient.

*Post*, p. 338.

(B) **EMPLOYEES' ANNUITIES.**—If an annuity contract is purchased by an employer for an employee under a plan with respect to which the employer's contribution is deductible under subsection 3 (a) (11) of this title, the employee shall include in his income the amounts received under such contract for the year received except that if the employee paid any of the consideration for the annuity, the annuity shall be included in his income as provided in subsection 2 (b) (2) (A) of this title, the consideration for such annuity being considered the amount contributed by the employee. In all other cases, if the employee's rights under the contract are nonforfeitable except for failure to pay future premiums, the amount contributed by the employer for such annuity contract on and after such rights become nonforfeitable shall be included in the income of the employee in the year in which the amount is contributed, which amount together with any amounts contributed by the employee shall constitute the consideration paid for the annuity contract in determining the amount of the annuity required to be included in the income of the employee under subsection 2 (b) (2) (A) of this title.

*Ante*, p. 335.

(3) **GIFTS, BEQUESTS, AND DEVISES.**—The value of property acquired by gift, devise, or inheritance (but the income from such property shall be included in gross income).

Obligations of a State, etc.

(4) **TAX-FREE INTEREST.**—Interest upon (a) the obligations of a State, Territory of the United States, or any political subdivision thereof, or the District of Columbia; and (b) obligations of the United States, its agencies, or instrumentalities.

(5) **COMPENSATION FOR INJURIES OR SICKNESS.**—Amounts received, through accident or health insurance or under workmen's compensation or employer's liability acts, or by way of damages for personal injuries, whether by suit or agreement.

Rental value of minister's dwelling, etc.

(6) **IN THE CASE OF MINISTERS.**—The rental value of a dwelling house and appurtenances thereof furnished to a minister of the gospel as part of his compensation.

(7) **INCOME EXEMPT UNDER TREATY.**—Income of any kind to the extent required by any treaty obligation of the United States.

(8) **INCOME OF FOREIGN GOVERNMENTS.**

(9) **PAYMENTS MADE UNDER LAWS RELATING TO VETERANS.**—Payments of benefits made to or on account of a beneficiary under any of the laws relating to veterans.

*Post*, p. 345.

(10) **INCOME FROM UNINCORPORATED BUSINESS.**—In the case of any person entitled to a share in the net income of any unincorporated business subject to tax under the provisions of title VIII of this article, an amount equal to the proportionate share of such person in such part of such net income as is in excess of the exemption provided in section 4 of said title VIII: *Provided, however*, That such part so excluded from the gross income of such person shall be reported by and taxed against the unincorporated business under the provisions of title VIII of this article.

*Post*, p. 346.

(11) **CAPITAL GAINS.**—Gains from the sale or exchange of any capital asset as defined in this article.

(12) **PERSONAL SERVICES.**—If at least 80 per centum of the total compensation for personal services covering a period of thirty-six calendar months or more (from the beginning to the completion of such services) is received or accrued in one taxable year by an individual or a partnership, the tax attributable to any part thereof which is included in the gross income of any individual shall not be greater than the aggregate of the taxes attributable to such part had it been included in the gross

income of such individual ratably over that part of the period which precedes the date of such receipt or accrual.

SEC. 3. (a) DEDUCTIONS ALLOWED.—The following deductions shall be allowed from gross income in computing net income:

(1) EXPENSES.—All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered; traveling expenses (including the entire amount expended for meals and lodging) while away from home in the pursuit of a trade or business; and rentals or other payments required to be made as a condition to the continued use or possession, for purposes of the trade or business, of property to which the taxpayer has not taken or is not taking title or in which he has no equity: *Provided, however,* That nothing herein contained shall be construed to exempt any salary or other compensation for personal services from taxation as a part of the taxable income of the person receiving the same.

Business expenses.

Traveling expenses.

Salary, etc., for personal services.

(2) INTEREST.—All interest paid or accrued, according to the taxpayer's method of accounting, within the taxable year.

(3) TAXES.—All taxes imposed upon the taxpayer and paid or accrued during the taxable year except—

Exceptions.

(A) income taxes;

(B) franchise taxes imposed by this article;

(C) estate, inheritance, legacy, succession, and gift taxes;

(D) taxes assessed against local benefits of a kind tending to increase the value of the property assessed;

(E) taxes paid to any State, Territory, county, or municipality on property, business, or occupation the income from which is not taxable under this article.

(4) LOSSES.—Losses sustained during the taxable year and not compensated for by insurance or otherwise—

(A) if incurred in a trade or business; or

(B) if incurred in any transaction entered into for the production or collection of income subject to tax under this article, or for the management, conservation, or maintenance of property held for the production of income subject to tax under this article, though not connected with any trade or business; or

(C) of property not connected with a trade or business; if such losses arise from fires, storms, shipwrecks, or other casualty: *Provided, however,* That no such loss shall be allowed as a deduction under this subsection if such loss is claimed as a deduction for inheritance- or estate-tax purposes: *And provided further,* That this subsection shall not be construed to permit the deduction of a loss of any capital asset as defined in this article.

Restrictions.

(5) BAD DEBTS.—Debts ascertained to be worthless and charged off within the taxable year or, in the discretion of the Assessor, a reasonable addition to a reserve for bad debts. When satisfied that a debt is recoverable only in part, the Assessor may allow such debt, in an amount not in excess of the part charged off within the taxable year, as a deduction. No debt which existed prior to January 1, 1939, shall be allowed as a deduction.

Time limitation.

(6) INSURANCE PREMIUMS.—All fire-, tornado-, and casualty-insurance premiums paid during the taxable year in connection with property held for investment or used in a trade or business, the income from which is taxable under this article.

(7) DEPRECIATION.—A reasonable allowance for exhaustion, wear, and tear of property used in the trade or business, including a reasonable allowance for obsolescence; and including in the case of natural resources allowances for depletion as permitted by reasonable rules

and regulations which the Commissioners are hereby authorized to promulgate. The basis upon which such allowances are to be computed is the basis provided for in title XI, section 6, of this article.

*Post*, p. 351.

(8) CHARITABLE CONTRIBUTIONS.—Contributions or gifts, actually paid within the taxable year to or for the use of any religious, charitable, scientific, literary, military, or educational institution, the activities of which are carried on to a substantial extent in the District, and no part of the net income of which inures to the benefit of any private shareholder or individual: *Provided, however*, That such deductions shall be allowed only in an amount which in the aggregate of all such deductions does not exceed 15 per centum of net income as computed without the benefit of this subsection.

Limitation.

(9) MEDICAL, DENTAL, AND SO FORTH, EXPENSES OF INDIVIDUALS.—Expenses in the case of residents, paid by the taxpayer during the taxable year, not compensated for by insurance or otherwise, for the medical care of the taxpayer, his spouse, or dependents as defined in this article. The term “medical care”, as used in this subsection, shall include amounts paid for the diagnosis, cure, mitigation, treatment, or prevention of diseases, or for the purpose of effecting healthier function of the body (including amounts paid for accident or health insurance): *Provided, however*, That a taxpayer may deduct only such expenses as exceed 5 per centum of his net income, or 5 per centum of the aggregate net income in the case of husband and wife filing a joint return, computed with the benefit of subsection (8) of this section but without the benefit of this subsection: *And provided further*, That the maximum deduction for the taxable year shall not exceed \$2,500 in the case of a husband and wife filing a joint return, or \$1,250 in the case of all other residents.

“Medical care.”

Deductions.

(10) ALIMONY OR SEPARATE MAINTENANCE.—In the case of residents, amounts paid as alimony or separate maintenance pursuant to and under a decree or judgment of a court of record of competent jurisdiction to adjudge or decree that the taxpayer pay such alimony or separate maintenance: *Provided, however*, That all amounts allowed as a deduction under this subsection shall be reported and taxed as income of the recipient thereof if such recipient is a resident as defined in this article.

Income of recipient.

(11) CONTRIBUTIONS OF AN EMPLOYER TO AN EMPLOYEES’ TRUST OR ANNUITY PLAN AND COMPENSATION UNDER A DEFERRED-PAYMENT PLAN.—In the return of an employer, contributions made by such employer to an employees’ trust or annuity plan and compensation under a deferred-payment plan to the extent that deductions for the same are allowed the taxpayer under the provisions of section 23 (p) of the Federal Internal Revenue Code.

53 Stat. 15.  
26 U. S. C. § 23 (p).

(12) NONTRADE OR NONBUSINESS EXPENSE.—In the case of an individual, all the ordinary and necessary expenses paid or incurred during the taxable year for the production or collection of income, or for the management, conservation, or maintenance of property held for the production of income taxable under this article.

Optional standard deduction.

Restriction.

Husband and wife living together.

*Post*, p. 344.

(13) In lieu of the foregoing deductions, any resident, whose gross income less allowance for dependents is \$5,000 or more may irrevocably elect to deduct for the taxable year an optional standard deduction of \$500: *Provided, however*, That the option provided in this subsection shall not be permitted to any such taxpayer on any return filed by him for any period less than a full calendar or fiscal year: *And provided further*, That in the case of husband and wife living together, the standard deduction shall not be allowed to either if the net income of one of the spouses is determined without regard to the standard deduction or by use of the optional method provided in title VI, section 4 (a).

(14) **ALLOCATION OF DEDUCTIONS.**—In the case of corporations and unincorporated businesses, the deductions provided for in this section shall be allowed only for and to the extent that they are connected with income arising from sources within the District within the meaning of title X of this article; and the proper apportionment and allocation of the deductions to be allowed shall be determined by the Assessor under formula or formulas provided for in section 2, title X of this article.

*Post*, p. 349.

*Post*, p. 349.

(b) **DEDUCTIONS NOT ALLOWED.**—In computing net income, no deductions shall be allowed in any case for—

(1) Personal, living, or family expenses;  
 (2) Any amount paid out for new buildings or for permanent improvements or betterments, made to increase the value of any property or estate;

(3) Any amount expended in restoring property or in making good the exhaustion thereof for which an allowance is or has been made; and

(4) Premiums paid on any life-insurance policy covering the life of any officer or employee or of any person financially interested in any trade or business carried on by the taxpayer when the taxpayer is directly or indirectly a beneficiary under such policy.

(5) If the net income of an unincorporated business for the taxable year is in excess of the exemption provided in section 4 of title VIII, no deduction which is allowed or allowable under section 3 (a) of this title from the gross income of any unincorporated business subject to the tax imposed by title VIII of this article shall be allowed as deduction in the return and computation of the net income of any person entitled to share in the net income of such unincorporated business.

*Post*, p. 346.

*Ante*, p. 337.

*Post*, p. 345.

(6) **CAPITAL LOSSES.**—Losses from the sale or exchange of any capital asset as defined in this article.

#### TITLE IV—ACCOUNTING PERIODS, INSTALLMENT SALES, AND INVENTORIES

**SEC. 1. ACCOUNTING PERIODS.**—The net income shall be computed upon the basis of the taxpayer's annual accounting period (fiscal year or calendar year, as the case may be) in accordance with the method of accounting regularly employed in keeping the books of such taxpayer; but if no such method of accounting has been so employed, or if the method employed does not clearly reflect the income, the computation shall be made in accordance with such method as in the opinion of the Assessor does clearly reflect the income. If the taxpayer's annual accounting period is other than a fiscal year as defined in section 4 (j) of title I or if the taxpayer has no annual accounting period or does not keep books, the net income shall be computed on the basis of the calendar year. If the taxpayer makes a Federal income-tax return, his income shall be computed, for the purposes of this title, on the basis of the same calendar or fiscal year as in such Federal income-tax return, if the basis is accepted and approved by the Commissioner of Internal Revenue.

Computation of net income.

*Ante*, p. 332.

Federal income-tax return.

**SEC. 2. PERIOD IN WHICH ITEMS OF GROSS INCOME INCLUDED.**—The amount of all items of gross income shall be included in the gross income for the taxable year in which received by the taxpayer unless, under methods of accounting permitted under section 1, any such amounts are to be properly accounted for as of a different period. In the case of death of a taxpayer on the cash basis, no amount will be accrued on his final return; and on the accrual basis, amounts (except amounts includible in computing a partner's net income) accrued only by reason of the death of the taxpayer shall

Death of taxpayer.



not be included in computing net income for the period in which falls the date of the taxpayer's death, but such amounts shall be included in the income of the person receiving such amounts by inheritance or survivorship from the decedent.

Death of taxpayer.

SEC. 3. PERIOD FOR WHICH DEDUCTIONS AND CREDITS TAKEN.—The deductions and credits provided for in this article shall be taken for the taxable year in which "paid or accrued" or "paid or incurred", dependent upon the method of accounting upon the basis of which the net income is computed unless, in order to clearly reflect the income, the deductions or credits should be taken as of a different period. In the case of death of a taxpayer on the cash basis, no amount will be allowed as a deduction which was accrued up to the date of the taxpayer's death; and on the accrual basis, no amount (except amounts includible in computing a partner's net income) accrued only by reason of the death of the taxpayer shall be included in computing net income for the period in which falls the date of the taxpayer's death but such amounts shall be deductible by the estate or other person who paid them or is liable for their payment.

53 Stat. 24.  
26 U. S. C. § 44.

SEC. 4. INSTALLMENT SALES.—If a person reports any portion of his income from installment sales for Federal income-tax purposes under section 44 of the Federal Internal Revenue Code and as the same may hereafter be amended, and of such income is subject to tax under this article, he may report such income under this article in the same manner and upon the same basis as the same was reported by him for Federal income-tax purposes, if such method of reporting is accepted and approved by the Commissioner of Internal Revenue.

SEC. 5. INVENTORIES.—Whenever in the opinion of the Assessor the use of inventories is necessary in order to properly determine the income of any taxpayer, inventories shall be taken by such taxpayer upon such basis as the Assessor may prescribe as conforming as nearly as may be to the best accounting practice in the trade or business and as most clearly reflecting the income.

SEC. 6. ASSESSOR MAY REJECT METHOD OF ACCOUNTING EMPLOYED BY TAXPAYER.—Notwithstanding any other provisions of this article, the Assessor is hereby authorized to reject any return of income reported on a cash basis where, in his opinion, the net income of the taxpayer is not properly reflected and cannot be determined on such basis, and to require the return to be filed on such a basis as in his opinion will properly reflect the net income of the taxpayer.

#### TITLE V—RETURNS

SEC. 1. (a) FORM OF RETURNS.—The Assessor is hereby authorized and directed to prescribe the forms of returns. All returns required under this title shall be filed on the forms and in the manner prescribed by the Assessor.

(b) TAXPAYER TO MAKE RETURN WHETHER FORM IS SENT OR NOT.—Blank forms of returns of income shall be supplied by the Assessor. It shall be the duty of the Assessor to obtain an income-tax return from every taxpayer who is liable under this article to file such return; but this duty shall in no manner diminish the obligation of the taxpayer to file a return without being called upon to do so.

(c) INFORMATION RETURNS.—Every person subject to the jurisdiction of the District in whatever capacity acting, including receivers or mortgagors of real or personal property, fiduciaries, partnerships, and employers making payment of dividends, interest, rent, premiums, annuities, compensations, remunerations, emoluments, or other income to any person subject to tax under this article, shall render such returns thereof to the Assessor as he may by rule prescribe.

SEC. 2. REQUIREMENT.—Each of the following persons shall file a return with the Assessor stating specifically the items of his gross income and the items claimed as deductions and credits allowed under this article, and such other information for the purpose of carrying out the provisions of this article as the Assessor may require:

(a) RESIDENTS AND NONRESIDENTS.—Every nonresident of the District receiving income subject to tax under this article and every resident of the District, except fiduciaries, when—

(1) his gross income for the taxable year exceeds \$1,000, if single, or if married and not living with husband or wife; or

(2) his gross income for the taxable year exceeds \$2,000, if married and living with husband or wife; or

(3) his gross sales or gross receipts from any trade or business, other than an unincorporated business subject to tax under title VIII of this article, exceeds \$5,000, regardless of the amount of his gross income; or

*Post*, p. 345.

(4) the combined gross income for the taxable year of a husband and wife living together exceeds \$2,000 in the aggregate or the combined gross sales or gross receipts from any trade or business, other than an unincorporated business subject to tax under title VIII of this article, exceeds \$5,000 regardless of the amount of their gross income.

*Post*, p. 345.

(b) FIDUCIARIES.—Every fiduciary (except a receiver appointed by authority of law in possession of part only of the property of an individual) for—

(1) every individual for whom he acts having a net income for the taxable year of \$1,000 or over, if single, or if married and not living with husband or wife;

(2) every individual for whom he acts having a net income for the taxable year of \$2,000 or over, if married and living with husband or wife;

(3) every individual for whom he acts having a gross income for the taxable year of \$2,000 or over, regardless of the amount of his net income;

(4) every estate for which he acts, the net income of which for the taxable year is \$1,000 or over;

(5) every trust for which he acts, the net income of which for the taxable year is \$100 or over; and

(6) every estate or trust for which he acts, the gross income of which for the taxable year is \$5,000 or over, regardless of the amount of the net income.

(c) JOINT FIDUCIARIES.—A return by one of two or more joint fiduciaries filed with the Assessor shall be sufficient compliance with the provisions of section 2 (b) of this title.

(d) If any resident or nonresident or any fiduciary is unable to make his own return, the return shall be made by his duly authorized agent.

Return by authorized agent.

(e) (1) CORPORATIONS.—Every corporation engaging in or carrying on any trade or business within the District or receiving income from sources within the District within the meaning of title X. In cases where receivers, trustees in bankruptcy, or assignees are operating the property or are engaged in or carrying on the trade or business of corporations, such receivers, trustees, or assignees shall make returns for such corporations in the same manner and form as corporations are required to make returns.

*Post*, p. 349.  
Receivers, trustees, or assignees.

(2) Affiliated corporations shall file separate returns unless permitted by the Assessor to file consolidated returns.

Affiliated corporations.

(f) UNINCORPORATED BUSINESSES.—Every unincorporated business engaging in or carrying on any trade or business within the District

*Post*, p. 349.

or receiving income from sources within the District within the meaning of title X having a gross income of more than \$10,000, regardless of whether or not it has a net income. Such returns shall be made by the taxpayer or taxpayers liable for the payment of the tax.

*Post*, p. 345.

(g) **PARTNERSHIPS.**—Every partnership, other than partnerships subject to the taxes imposed by title VIII of this article on unincorporated businesses, engaged in any trade or business, or receiving income from sources within the District. There shall be included in such return the names and addresses of the individuals who would be entitled to share in the net income of the partnership, if distributed, and the amount of distributive share of each individual.

*Ante*, p. 340.

**SEC. 3. (a) TIME AND PLACE FOR FILING RETURNS.**—All returns of income for the preceding taxable year required to be filed under the provisions of section 1 of this title shall be filed with the Assessor on or before the 15th day of April in each year, except that such returns, if made on the basis of a fiscal year, shall be filed on or before the fifteenth day of the fourth month following the close of such fiscal year.

(b) **EXTENSION OF TIME FOR FILING RETURNS.**—The Assessor may grant a reasonable extension of time for filing the returns required by section 2 of this title whenever in his judgment good cause exists therefor, and he shall keep a record of every such extension. Except in case of a taxpayer who is not within the continental limits of the United States, no such extension shall be granted for more than six months, and in no case shall such extension be granted for more than one year.

Furnishing of copy  
to taxpayer.

**SEC. 4. (a) SECRECY OF RETURNS.**—Except to any official of the District, having a right thereto in his official capacity, it shall be unlawful for any officer or employee of the District to divulge or make known in any manner the amount of income or any particulars relating thereto or the computation thereof set forth or disclosed in any return required to be filed under section 1 of this title, and neither the original nor a copy of any such return desired for use in litigation in court shall be furnished where neither the District nor the United States is interested in the result of such litigation, whether or not the request is contained in an order of the court: *Provided, however,* That nothing herein contained shall be construed to prevent the furnishing to a taxpayer of a copy of his return upon the payment of a fee of \$2.

(b) **RECIPROCAL EXCHANGE OF INFORMATION WITH THE UNITED STATES AND THE SEVERAL STATES.**—Notwithstanding the provisions of this section, the Assessor may permit the proper officer of the United States or of any State imposing an income tax or his authorized representative to inspect income-tax returns filed with the Assessor or may furnish to such officer or representative a copy of any such income-tax returns provided the United States or such State grant substantially similar privileges to the Assessor or his representative or to the proper officer of the District charged with the administration of this title. The Bureau of Internal Revenue of the Treasury Department of the United States is authorized and required to supply such information as may be requested by the Assessor or Collector relative to any person subject to the taxes imposed by this article.

(c) **PUBLICATION OF STATISTICS.**—Nothing contained in section 4 (a) of this title shall be construed to prohibit the publication of statistics so classified as to prevent the identification of particular reports and the items thereof, or the publication of delinquent lists showing the names of taxpayers who have failed to pay their taxes at the time and in the manner provided by law, together with any relevant information which in the opinion of the Assessor may assist in the collection of such delinquent taxes.

(d) **INFORMATION WHICH MAY BE DISCLOSED.**—Nothing contained in section 4 (a) of this title shall be construed to prohibit the Assessor, in his discretion, from divulging or making known any information contained in, or relating to, any report, application, license, or return required under the provisions of this article other than such information as may be contained therein relating to the amount of income or any particulars relating thereto or the computation thereof.

(e) **PENALTIES FOR VIOLATION OF THIS SECTION.**—Any violation of the provisions of this section shall be a misdemeanor and shall be punishable by a fine not exceeding \$1,000 or imprisonment for six months, or both, in the discretion of the court. All prosecutions under this section shall be brought in the Municipal Court of the District of Columbia on information by the Corporation Counsel of the District of Columbia or any of his assistants in the name of the District of Columbia.

Prosecutions.

(f) **PRESERVATION OF RETURNS.**—All reports, applications, and returns received by the Assessor under the provisions of this article shall be preserved for six years, and thereafter until the Assessor orders them to be destroyed.

#### TITLE VI—TAX ON RESIDENTS AND NONRESIDENTS

**SEC. 1. DEFINITION.**—For the purposes of this article, and unless otherwise required by the context, the words “taxable income” mean the entire net income of every resident, in excess of the personal exemptions and credits for dependents allowed by section 2 of this title and that portion of the entire net income of every nonresident which is subject to tax under title VIII of this article.

“Taxable income.”

*Post*, p. 345.

**SEC. 2. PERSONAL EXEMPTIONS AND CREDIT FOR DEPENDENTS.**—There shall be allowed to residents the following credits against net income:

(a) An exemption of \$1,000 for the taxpayer.

(b) An exemption of \$1,000 for the spouse of the taxpayer (1) if a joint return is made by the taxpayer and his spouse, in which case the aggregate exemption of the spouses shall be \$2,000, or (2) if a separate return is made by the taxpayer, and his spouse has no gross income for the calendar year in which the taxable year of the taxpayer begins and is not the dependent of another taxpayer.

Spouse of taxpayer.

(c) An exemption of \$500 for each dependent, as defined in this article, whose gross income for the calendar year in which the taxable year of the taxpayer begins is less than \$500, except that the exemption shall not be allowed in respect of a dependent who has made a joint return with his spouse for the taxable year beginning in such calendar year.

Dependents.

(d) If the status of a taxpayer changes during the taxable year with respect to his marital status the amount allowed under subsection (b) of this section shall be apportioned in accordance with the number of months before and after such change. For the purposes of this subsection, a fractional part of a month shall be disregarded unless it amounts to more than half a month, in which case it shall be considered as a month.

Change in marital status.

(e) Beginning with the first taxable year to which this article is applicable and in succeeding taxable years, the amounts allowed under subsections (a) and (b) of this section shall be prorated to the day of death in the final return of a decedent dying before the end of the taxable year, and as of the date of death the personal exemption is terminated and not extended over the remainder of the taxable year.

Death of taxpayer.

(f) In the case of a return made for a fractional part of a taxable year, the personal exemptions and credits for dependents shall be reduced, respectively, to amounts which bear the same ratio to the full

Return for fractional part of year.

credits provided as the number of months in the period for which the return is made bear to twelve months.

SEC. 3. IMPOSITION AND RATES OF TAX.—There is hereby annually levied and imposed for each taxable year upon the taxable income of every resident a tax at the following rates:

One per centum on the first \$5,000 of taxable income.

One and one-half per centum on the next \$5,000 of taxable income.

Two per centum on the next \$5,000 of taxable income.

Two and one-half per centum on the next \$5,000 of taxable income.

Three per centum on the taxable income in excess of \$20,000.

SEC. 4. (a) OPTIONAL METHOD OF COMPUTATION.—In lieu of the method of computation prescribed by section 3 of this title, a resident reporting on a cash basis for any full calendar year who does not claim credit for taxes paid by him to any State or Territory of the United States or political subdivision thereof under the provisions of section 5 of this title on the whole or any part of his income for such calendar year and, if his gross income for such calendar year is \$5,000 or less, and is derived solely from salaries, wages, dividends, and interest, may elect to pay the tax as shown in the following table:

Gross income less allowance for dependents		Personal exemption status		Gross income less allowance for dependents		Personal exemption status	
Over	But not over	\$1,000	\$2,000	Over	But not over	\$1,000	\$2,000
		<i>Tax</i>	<i>Tax</i>			<i>Tax</i>	<i>Tax</i>
0	\$1, 150	0	0	\$3, 050	\$3, 100	\$17. 50	\$7. 50
\$1, 150	1, 200	\$0. 50	0	3, 100	3, 150	18. 00	8. 00
1, 200	1, 250	1. 00	0	3, 150	3, 200	18. 50	8. 50
1, 250	1, 300	1. 50	0	3, 200	3, 250	19. 00	9. 00
1, 300	1, 350	2. 00	0	3, 250	3, 300	19. 50	9. 50
1, 350	1, 400	2. 50	0	3, 300	3, 350	20. 00	10. 00
1, 400	1, 450	3. 00	0	3, 350	3, 400	20. 50	10. 50
1, 450	1, 500	3. 50	0	3, 400	3, 450	21. 00	11. 00
1, 500	1, 550	3. 50	0	3, 450	3, 500	21. 50	11. 50
1, 550	1, 600	4. 00	0	3, 500	3, 550	21. 50	11. 50
1, 600	1, 650	4. 50	0	3, 550	3, 600	22. 00	12. 00
1, 650	1, 700	5. 00	0	3, 600	3, 650	22. 50	12. 50
1, 700	1, 750	5. 50	0	3, 650	3, 700	23. 00	13. 00
1, 750	1, 800	6. 00	0	3, 700	3, 750	23. 50	13. 50
1, 800	1, 850	6. 50	0	3, 750	3, 800	24. 00	14. 00
1, 850	1, 900	7. 00	0	3, 800	3, 850	24. 50	14. 50
1, 900	1, 950	7. 50	0	3, 850	3, 900	25. 00	15. 00
1, 950	2, 000	8. 00	0	3, 900	3, 950	25. 50	15. 50
2, 000	2, 050	8. 00	0	3, 950	4, 000	26. 00	16. 00
2, 050	2, 100	8. 50	0	4, 000	4, 050	26. 00	16. 00
2, 100	2, 150	9. 00	0	4, 050	4, 100	26. 50	16. 50
2, 150	2, 200	9. 50	0	4, 100	4, 150	27. 00	17. 00
2, 200	2, 250	10. 00	0	4, 150	4, 200	27. 50	17. 50
2, 250	2, 300	10. 50	\$0. 50	4, 200	4, 250	28. 00	18. 00
2, 300	2, 350	11. 00	1. 00	4, 250	4, 300	28. 50	18. 50
2, 350	2, 400	11. 50	1. 50	4, 300	4, 350	29. 00	19. 00
2, 400	2, 450	12. 00	2. 00	4, 350	4, 400	29. 50	19. 50
2, 450	2, 500	12. 50	2. 50	4, 400	4, 450	30. 00	20. 00
2, 500	2, 550	12. 50	2. 50	4, 450	4, 500	30. 50	20. 50
2, 550	2, 600	13. 00	3. 00	4, 500	4, 550	30. 50	20. 50
2, 600	2, 650	13. 50	3. 50	4, 550	4, 600	31. 00	21. 00
2, 650	2, 700	14. 00	4. 00	4, 600	4, 650	31. 50	21. 50
2, 700	2, 750	14. 50	4. 50	4, 650	4, 700	32. 00	22. 00
2, 750	2, 800	15. 00	5. 00	4, 700	4, 750	32. 50	22. 50
2, 800	2, 850	15. 50	5. 50	4, 750	4, 800	33. 00	23. 00
2, 850	2, 900	16. 00	6. 00	4, 800	4, 850	33. 50	23. 50
2, 900	2, 950	16. 50	6. 50	4, 850	4, 900	34. 00	24. 00
2, 950	3, 000	17. 00	7. 00	4, 900	4, 950	34. 50	24. 50
3, 000	3, 050	17. 00	7. 00	4, 950	5, 000	35. 00	25. 00

Application of schedule.

(b) In applying the above schedule, to determine the tax of a taxpayer with one or more dependents, there shall be subtracted from his gross income beginning with the first taxable year to which this article is applicable and succeeding taxable years, \$500 for each dependent as defined in this article.

(c) In applying the above schedule, to determine whether the taxpayer is entitled to the personal exemption of \$1,000 or \$2,000, his status during the greater portion of the taxable year, as defined in this article, shall control.

(d) An individual not living with husband or wife during the greater portion of the taxable year for the purposes of this article, shall be considered as a single person.

Individual consid-  
ered as single person.

(e) The election given by this section as to the computation of tax due shall be considered to have been made if the taxpayer files the return prescribed for such computation and such election shall be final and irrevocable.

Finality of election.

(f) If the taxpayer for any taxable year has filed a return computing his tax without regard to this section, he may not thereafter elect for such year to compute his tax under this section.

(g) This section shall not apply to any fiduciary or to any married resident living with husband or wife at any time during the taxable year whose spouse files a return and computes the tax without regard to this section.

Nonapplicability of  
section.

(h) If a husband and wife living together file separate returns, each shall be treated as a single person for the purposes of this section.

Spouse treated as  
single person.

SEC. 5. CREDIT AGAINST TAX ALLOWED RESIDENTS.—The amount of tax payable under this title by an individual who, although a resident of the District of Columbia as defined in this article, was nevertheless a bona fide domiciliary of any State or Territory of the United States or political subdivision thereof during the taxable year shall be reduced by the amount required to be paid by such individual as income or intangible personal property taxes, or both, for such taxable year to the State, Territory, or political subdivision thereof of which he was a domiciliary. The Assessor may require proof, satisfactory to him, of the payment of such income or intangible personal property taxes: *Provided, however,* That the credit provided for by this section shall not be allowed against any tax imposed under title VIII of this article.

Bona fide domicili-  
ary of a State, etc.

#### TITLE VII—TAX ON CORPORATIONS

SEC. 1. TAXABLE INCOME DEFINED.—For the purposes of this title, and unless otherwise required by the context, the words "taxable income" mean the amount of net income derived from sources within the District within the meaning of title X of this article.

"Taxable income."

SEC. 2. IMPOSITION AND RATE OF TAX.—For the privilege of carrying on or engaging in any trade or business within the District and of receiving income from sources within the District, there is hereby levied for each taxable year a tax at the rate of 5 per centum upon the taxable income of every corporation, whether domestic or foreign (except those expressly exempt under title II of this article).

*Post*, p. 349.

*An'te*, p. 334.

#### TITLE VIII—TAX ON UNINCORPORATED BUSINESSES

SEC. 1. DEFINITION OF UNINCORPORATED BUSINESS.—For the purposes of this article (not alone of this title) and unless otherwise required by the context, the words "unincorporated business" mean any trade or business, conducted or engaged in by any individual, whether resident or nonresident, statutory or common-law trust, estate, partnership, or limited or special partnership, society, association, executor, administrator, receiver, trustee, liquidator, conservator, committee, assignee, or by any other entity or fiduciary, other than a trade or business conducted or engaged in by any corporation; and include any trade or business which if conducted or engaged in by a corporation would be taxable under title VII of this article. The words "unincorporated business" do not include any trade or business which by law, customs, or ethics cannot be incorporated or any trade or business in which more than 80 per centum of the gross income is derived from the personal services actually rendered by the individual or members of the partnership or other entity in the conducting or carrying on of

"Unincorporated  
business."

any trade or business and in which capital is not a material income-producing factor.

SEC. 2. TAXABLE INCOME DEFINED.—For the purposes of this title, and unless otherwise required by the context, the words “taxable income” mean the amount of net income derived from sources within the District within the meaning of title X of this article in excess of the exemption granted by section 4 of this title.

“Taxable income.”

*Post*, p. 349.

SEC. 3. IMPOSITION AND RATE OF TAX.—For the privilege of carrying on or engaging in any trade or business within the District and of receiving income from sources within the District, there is hereby levied for each taxable year a tax at the rate of 5 per centum upon the taxable income of every unincorporated business, whether domestic or foreign (except those expressly exempt under title II of this article).

*Ante*, p. 334.

SEC. 4. EXEMPTION.—Before computing the tax upon the taxable income of an unincorporated business, there shall be deducted therefrom an exemption of \$10,000, except that where the period covered by a return is less than a year, or where a return shows that an unincorporated business has been carried on for less than twelve months, such exemption shall be prorated on a daily basis: *Provided, however*, That any amount exempted under this section from the tax imposed by section 3 of this title shall be reported and included in the gross income of that person or those persons entitled to a share therein in proportion to the share to which each person is entitled, and shall be reported in the return of each of such persons for his taxable year in which is ended the taxable year of the unincorporated business.

Report, etc., in gross income.

SEC. 5. BY WHOM PAYABLE.—The taxes imposed by section 3 of this title shall be payable by the person or persons, jointly and severally, conducting the unincorporated business. The taxes imposed under this title may be assessed in the name of the unincorporated business or in the name or names of the person or persons liable for the payment of such taxes, or both.

SEC. 6. PARTNERS ONLY TAXABLE.—Individuals carrying on any trade or business in partnership in the District, other than an unincorporated business, shall be liable for income tax only in their individual capacities. The tax on all such income shall be assessed against the individual partners under title VI of this article. There shall be included in computing the net income of each partner his distributive share, whether distributed or not, of the net income of the partnership for the taxable year; or if his net income for such taxable year is computed upon the basis of a period different from that upon the basis of which the net income of the partnership is computed, then his distributive share of the net income of the partnership for any accounting period of the partnership ending within the taxable year upon the basis of which the partner's net income is computed.

*Ante*, p. 343.  
Distributive share  
of net income.

#### TITLE IX—TAX ON ESTATES AND TRUSTS

SEC. 1. RESIDENT AND NONRESIDENT ESTATES AND TRUSTS.—For the purposes of this title, estates and trusts are (a) resident estates or trusts, or (b) nonresident estates or trusts. If the decedent was at the time of his death domiciled within the District, his estate is a resident estate, and any trust created by his will is a resident trust. If the decedent was not at the time of his death domiciled within the District, his estate is a nonresident estate, and any trust created by his will is a nonresident trust. If the creator of a trust was at the time the trust was created domiciled within the District, or if the trust consists of property of a person domiciled within the District, the trust is a resident trust. If the creator of the trust was not at the time the trust was created domiciled within the District,

Creator of trust.

the trust is a nonresident trust. If the trust resulted from the dissolution of a corporation organized under the laws of the District of Columbia the trust is a resident trust. If the trust resulted from the dissolution of a foreign corporation, the trust is a nonresident trust.

**SEC. 2. RESIDENCE OR SITUS OF FIDUCIARY NOT TO CONTROL.**—The residence or situs of the fiduciary shall not control the classification of estates and trusts as resident or nonresident under the provisions of section 1 of this title.

**SEC. 3. IMPOSITION OF TAX.**—The taxes imposed by title VI of this article upon residents shall apply to the income of resident estates, and income from any kind of property held in resident trusts, including—

*Ante*, p. 343.

(a) income accumulated in trust for the benefit of unborn or unascertained person or persons with contingent interests, and income accumulated or held for future distribution under the terms of the will or trust;

(b) income which is to be distributed currently by the fiduciary to the beneficiaries, and income collected by a guardian of any infant or incompetent person which is to be held or distributed as the court may direct;

(c) income received by estates of deceased persons during the period of administration or settlement of the estate; and

(d) income which, in the discretion of the fiduciary, may be either distributed to the beneficiaries or accumulated.

**SEC. 4. COMPUTATION OF THE TAX.**—The tax shall be computed upon the taxable net income of the estate or trust, and shall be paid by the fiduciary, except as provided in section 7 of this title (relating to revocable trusts) and section 8 of this title (relating to income for benefit of the grantor).

**SEC. 5. NET INCOME.**—The net income of the estate or trust shall be computed in the same manner and on the same basis as in the case of an individual, except as to the personal exemptions and credits for dependents, and except that—

Computation.

Exceptions.

(a) there shall be allowed as an additional deduction in computing the net income of the estate or trust the amount of the income of the estate or trust for its taxable year which is to be distributed currently by the fiduciary to the beneficiaries, and the amount of the income collected by a guardian of an infant which is to be held or distributed as the court may direct, but the amount so allowed as a deduction shall be included in computing the net income of the beneficiaries whether distributed to them or not. Any amount allowed as a deduction under this paragraph shall not be allowed as a deduction under subsection (b) of this section in the same or any succeeding taxable year;

(b) in the case of income received by estates of deceased persons during the period of administration or settlement of the estate, and in the case of income which, in the discretion of the fiduciary, may be either distributed to the beneficiary or accumulated, there shall be allowed as an additional deduction in computing the net income of the estate or trust the amount of the income of the estate or trust for its taxable year, which is properly paid or credited during such year to any legatee, heir, or beneficiary, but the amount so allowed as a deduction shall be included in computing the net income of the legatee, heir, or beneficiary;

(c) there shall be allowed as a deduction (in lieu of the deductions for charitable contributions authorized by title III, section 3 (a) (8), of this article) any part of the gross income, without limitation, which pursuant to the terms of the will or deed creating a trust, is during the taxable year paid or permanently set

*Ante*, p. 338.



aside for the purposes and in the manner provided in title III, section 3 (a) (8), of this article or is to be used exclusively for the purposes enumerated in title III, section 3 (a) (8), of this article.

**SEC. 6. DIFFERENT TAXABLE YEAR.**—If the taxable year of a beneficiary is different from that of the estate or trust, the amount which he is required, under section 5 (a) of this title, to include in computing his net income, shall be based upon the income of the estate or trust for any taxable year of the estate or trust ending within his taxable year.

**SEC. 7. REVOCABLE TRUSTS.**—The income of a trust shall be included in computing the net income of the grantor of such trust where at any time the power to revest in the grantor title to any part of the corpus of the trust is vested—

(a) in the grantor, either alone or in conjunction with any person not having a substantial adverse interest in the disposition of such part of the corpus or the income therefrom; or

(b) in any person not having a substantial adverse interest in the disposition of such part of the corpus or the income therefrom.

**SEC. 8. INCOME FOR BENEFIT OF GRANTOR.**—So much of the income of any trust shall be included in computing the net income of the grantor as—

(a) is, or in the discretion of the grantor or of any person not having a substantial adverse interest in the disposition of such part of the income may be, held or accumulated for future distribution to the grantor; or

(b) may, in the discretion of the grantor or of any person not having a substantial adverse interest in the disposition of such part of the income, be distributed to the grantor; or

(c) is, or in the discretion of the grantor or of any person not having a substantial adverse interest in the disposition of such part of the income may be, applied to the payment of premiums upon policies of insurance on the life of the grantor (except policies of insurance irrevocably payable for the purposes and in the manner specified in title III, section 3 (a) (8), relating to the so-called "charitable contribution" deduction).

Application to life insurance premiums.

*Ante*, p. 338.

"In the discretion of the grantor."

**SEC. 9. DEFINITION OF "IN DISCRETION OF GRANTOR."**—As used in this title, the term "in the discretion of the grantor" means in the discretion of the grantor either alone or in conjunction with any person not having a substantial adverse interest in the disposition of the part of the income in question.

**SEC. 10. EMPLOYEES' TRUSTS.**—(a) **EXEMPTION FROM TAX.**—A trust forming part of a stock bonus, pension, or profit-sharing plan of an employer for the exclusive benefit of his employees or their beneficiaries shall not be taxable under this article and no other provision of this article shall apply with respect to such trust or to its beneficiary, except as hereinafter in this section expressly provided, if such trust meets the requirements for exemption from Federal income tax under section 165 of the Federal Internal Revenue Code.

53 Stat. 67.  
26 U. S. C. § 165.

(b) **TAXABILITY OF BENEFICIARY.**—The amount actually distributed or made available to any distributee by any such trust shall be taxable to him, in the year in which so distributed or made available, under section 2 (b) (2) of title III of this article as if it were an annuity the consideration for which is the amount contributed by the employee.

*Ante*, p. 335.

(c) **TREATMENT OF BENEFICIARY OF TRUST NOT EXEMPT UNDER SUBSECTION (a).**—Contributions to a trust made by an employer during a taxable year of the employer which ends within or with a taxable year

of the trust for which the trust is not exempt under subsection (a) of this section shall be included in the gross income of an employee for the taxable year in which the contribution is made to the trust in the case of an employee whose beneficial interest in such contribution is nonforfeitable at the time the contribution is made.

#### TITLE X—PURPOSE OF ARTICLE AND ALLOCATION AND APPORTIONMENT

SEC. 1. PURPOSE OF ARTICLE.—It is the purpose of this article to impose (1) an income tax upon the entire net income of every resident and every resident estate and trust, and (2) a franchise tax upon every corporation and unincorporated business for the privilege of carrying on or engaging in any trade or business within the District and of receiving such other income as is derived from sources within the District: *Provided, however,* That, in the case of any corporation, the amount received as dividends from a corporation which is subject to taxation under this article, and, in the case of a corporation not engaged in carrying on any trade or business within the District, interest received by it from a corporation which is subject to taxation under this article shall not be considered as income from sources within the District for the purposes of this article. The measure of the franchise tax shall be that portion of the net income of the corporation and unincorporated business as is fairly attributable to any trade or business carried on or engaged in within the District and such other net income as is derived from sources within the District.

Dividends from a corporation, etc.

Franchise tax.

Net income derived within District, etc.

SEC. 2. ALLOCATION AND APPORTIONMENT.—The entire net income of any corporation or unincorporated business, derived from any trade or business carried on or engaged in wholly within the District shall, for the purposes of this article, be deemed to be from sources within the District, and shall, along with other income from sources within the District, be allocated to the District. If the trade or business of any corporation or unincorporated business is carried on or engaged in both within and without the District, the net income derived therefrom shall, for the purposes of this article, be deemed to be income from sources within and without the District. Where the net income of a corporation or unincorporated business is derived from sources both within and without the District, the portion thereof subject to tax under this article shall be determined under regulation or regulations prescribed by the Commissioners. The Assessor is authorized to employ any formula or formulas provided in any regulation or regulations prescribed by the Commissioners under this article which, in his opinion, should be applied in order to properly determine the net income of any corporation or unincorporated business subject to tax under this article.

SEC. 3. ALLOCATION OF INCOME AND DEDUCTIONS BETWEEN ORGANIZATIONS, AND SO FORTH.—In any of two or more organizations, trades, or businesses (whether or not incorporated, whether or not organized in the District, and whether or not affiliated) owned or controlled directly or indirectly by the same interests, the Assessor is authorized to distribute, apportion, or allocate gross income or deductions between or among such organizations, trades, or businesses, whenever in his opinion such distribution, apportionment, or allocation is necessary in order to prevent evasion of taxes or clearly to reflect the income of any of such organizations, trades, or businesses. The provisions of this section shall apply, but shall not be limited in application to any case of a common carrier by railroad subject to the Interstate Commerce Act and jointly owned or controlled directly or indirectly by two or more common carriers by railroad subject to said Act.

Applicability to common carrier by railroad.

24 Stat. 379.  
49 U. S. C. §§ 1-27,  
301-327, 901-923, 1001-1022.

## TITLE XI—BASES

Exceptions.	<p><b>SEC. 1. BASIS FOR DETERMINING GAIN OR LOSS.</b>—The basis for determining the gain or loss from the sale, exchange, or other disposition of property shall be the cost of such property, except that—</p>
Addition of expenditures.	<p>(a) If the property is of a kind which would properly be included in the inventory of the taxpayer if on hand at the close of the taxable year, the basis shall be the last inventory value thereof.</p> <p>(b) In respect of any real or tangible property acquired after December 31, 1938, the cost thereof shall be adjusted as follows:</p>
53 Stat. 1085. D. C. Code §§ 47-1501 to 47-1543. <i>Anne</i> , p. 331.	<p>(1) By adding to its original cost to the taxpayer the amount of all expenditures connected therewith, including real-estate taxes upon the property, which were properly chargeable to capital account and were not deducted in any income-tax return which the taxpayer was required to file under the provisions of this article or the District of Columbia Income Tax Act of 1939, as amended; but such additions as are herein provided for shall include only those expenditures made by the taxpayer between the time the property was acquired by him and the date of sale or other disposition of the property.</p>
Deductions for wear and tear, etc.	<p>(2) By deducting from such cost the full loss sustained since acquisition for exhaustion, wear and tear, obsolescence, amortization, and depletion to the extent allowed or allowable (whichever amount is the greater) on such property in all returns required to be filed by the taxpayer under the provisions of this article or of the District of Columbia Income Tax Act of 1939, as amended.</p>
<i>Supra.</i> Property acquired by gift, etc.	<p>(3) In the case of property (including intangible personal property) acquired by gift or inheritance, where the transfer thereof to the taxpayer was subject to tax by the United States or by any jurisdiction in which the property had a taxable situs at that time, the basis of the property so acquired shall be the highest valuation then placed upon such transfer by the United States or by any authorized taxing State or Territory thereof. If such transfer of the property was not subject to the aforesaid transfer tax, the base shall be the fair market value of such property at the time acquired. For the purpose of this subsection, the time such inherited property was acquired shall be the date of death of the decedent. The basis herein provided for shall be subject to the appropriate adjustment or adjustments defined in section 1 (b) of this title.</p>
Acquisition prior to Jan. 1, 1939.	<p>(c) If the property was acquired before January 1, 1939, the basis shall be the fair market value as of that date or, at the option of the taxpayer, the cost of such property, and in the case of real or tangible property such cost shall be diminished by exhaustion, wear and tear, obsolescence, and depletion actually sustained before such date: <i>Provided, however,</i> That the preceding valuation so determined shall be adjusted by the appropriate additions and deductions provided for in section 1 (b) of this title to cover the period from January 1, 1939, to the date of sale or other disposition of the property.</p>
Adjustment.	<p><b>SEC. 2. (a) COMPUTATION OF GAIN OR LOSS.</b>—The gain or loss, as the case may be, from the sale or other disposition of property shall be the difference between (a) the amount realized from such sale or other disposition of the property and (b) the basis as defined in section 1 of this title.</p>
	<p>(b) <b>AMOUNT REALIZED.</b>—The amount realized from the sale or exchange of property shall be its selling price, and such price shall include cash payments received or to be received subsequently therefor, plus the sum of any mortgage and other encumbrances thereon at the time of such sale or exchange. The amount realized shall also include at its then market value any property received in part or in full settlement of the property sold or exchanged, adjusted to include the then existing encumbrances on such property received in exchange.</p>

SEC. 3. EXCHANGE IN REORGANIZATIONS.—When in connection with the reorganization of a corporation, a taxpayer receives, in place of stock or securities owned by him, any stock or securities of the reorganized corporation, no gain or loss shall be deemed to occur from the exchange until the new stock or securities are sold or realized upon and the gain or loss is definitely ascertained, until which time the new stock or securities received shall be treated as taking the place of the stock and securities exchanged. For the purposes of this section, the word "reorganization" means (1) a statutory merger or consolidation; or (2) the acquisition by one corporation, in exchange solely for all or a part of its voting stock, of at least 80 per centum of the voting stock and at least 80 per centum of the total number of shares of all other classes of stock of another corporation; or (3) the acquisition by one corporation, in exchange solely for all or a part of its voting stock, of substantially all the properties of another corporation, but in determining whether the exchange is solely for voting stock the assumption by the acquiring corporation of a liability of the other, or the fact that property acquired is subject to a liability, shall be disregarded; or (4) a transfer by a corporation of all or a part of its assets to another corporation if immediately after the transfer the transferor or its shareholders or both are in control of the corporation to which the assets are transferred; or (5) a recapitalization; or (6) a mere change in identity, form, or place of organization, however effected.

"Reorganization."

SEC. 4. BASIS FOR DIVIDENDS PAID IN PROPERTY.—Where any property other than money is paid by a corporation as a dividend, the base to the recipient thereof shall be the market value of such property at the time of its distribution by such corporation.

SEC. 5. The provisions of sections 1 through 3 of this title shall not apply to the sale or exchange of any property defined as a capital asset by section 4 (1) of title I of this article.

*Ante*, p. 332.

SEC. 6. DEPRECIATION.—The bases used in determining the amount allowable as a deduction from gross income under the provisions of section 3 (a) (7) of title III of this article shall be—

*Ante*, p. 337.

(a) where the property was acquired after December 31, 1938, by purchase, the basis shall be the cost thereof to the taxpayer;

(b) where the property was received in exchange for other property after December 31, 1938, the basis shall be the market value thereof at the time of such exchange;

(c) where the property was inherited or acquired by gift after December 31, 1938, the basis shall be that defined in subsection 1 (b) (3) of this title;

*Ante*, p. 350.

(d) if the property was acquired prior to January 1, 1939, the appropriate basis set forth in subsection (a), (b), or (c) of this section shall be used: *Provided, however*, That the taxpayer may, at his option, use as the basis the market value of such property as of January 1, 1939;

(e) the taxpayer may deduct in each taxable year only such amount of depreciation as was actually sustained during that year and such annual deduction shall be based upon the useful life of the property remaining after the date used by the taxpayer in establishing the valuation: *Provided, however*, That the allowance for depreciation actually sustained during any taxable year may not be increased by any depreciation of the property which was allowable as a deduction in any earlier taxable year: *And provided further*, That any basis so established may not be changed in a subsequent taxable year, unless written approval of the Assessor has been first obtained.

Amount of depreciation deductible.

Change of basis.

## TITLE XII—ASSESSMENT AND COLLECTION; TIME OF PAYMENT

SEC. 1. DUTIES OF ASSESSOR.—The Assessor is hereby required to administer the provisions of this article. As soon as practicable after the return is filed, the Assessor shall examine it and shall determine the correct amount of tax.

SEC. 2. STATEMENTS AND SPECIAL RETURNS.—Every person upon whom the duty is imposed by this article to file any applications, returns, or reports or who is liable for any tax imposed by this article shall keep such records, render under oath such statements, and comply with such rules and regulations as the Assessor from time to time may prescribe. Whenever the Assessor deems it necessary, he may require any person, by notice served upon him, to make a return, render under oath such statements, or keep such records as he believes sufficient to show whether or not such person is liable to tax under this article and the extent of such liability.

Summons, etc.

SEC. 3. EXAMINATION OF BOOKS AND WITNESSES.—The Assessor, for the purpose of ascertaining the correctness of any return filed hereunder, or for the purpose of making an estimate of the taxable income of any taxpayer, is authorized to examine any books, papers, records, or memoranda of any person bearing upon the matters required to be included in the return and may summon any person to appear and produce books, records, papers, or memoranda bearing upon the matters required to be included in the return, and to give testimony or answer interrogatories under oath respecting the same, and the Assessor shall have power to administer oaths to such person or persons. Such summons may be served by any member of the Metropolitan Police Department. If any person having been personally summoned shall neglect or refuse to obey the summons issued as herein provided, then, and in that event, the Assessor may report that fact to the District Court of the United States for the District of Columbia, or one of the justices thereof, and said court or any justice thereof hereby is empowered to compel obedience to such summons to the same extent as witnesses may be compelled to obey the subpoenas of that court. Any person in custody or control of any books, papers, records, or memoranda bearing upon the matters required to be included in such returns, who shall refuse to permit the examination by the Assessor or any person designated by him of any such books, papers, records, or memoranda, or who shall obstruct or hinder the Assessor or any person designated by him in the examination of any books, papers, records, or memoranda, shall upon conviction thereof be fined not more than \$300. All prosecutions under this section shall be brought in the municipal court of the District of Columbia on information by the Corporation Counsel of the District of Columbia or any of his assistants in the name of the District of Columbia.

Penalty.

Prosecutions.

SEC. 4. RETURN BY ASSESSOR.—If any person fails to make and file a return at the time prescribed by law or by regulations made under authority of law, or makes, willfully or otherwise, a false or fraudulent return, the Assessor shall make the return from his own knowledge and from such information as he can obtain through testimony or otherwise. Any return so made and subscribed by the Assessor shall be prima facie good and sufficient for all legal purposes.

Notice to taxpayer.

Opportunity for hearing.

SEC. 5. DETERMINATION AND ASSESSMENT OF DEFICIENCY.—If a deficiency in tax is determined by the Assessor, the taxpayer shall be notified thereof and given a period of not less than thirty days, after such notice is sent by registered mail, in which to file a protest and show cause or reason why the deficiency should not be paid. Opportunity for hearing shall be granted by the Assessor, and a final decision thereon shall be made as quickly as practicable.

SEC. 6. JEOPARDY ASSESSMENT.—(a) **AUTHORITY FOR MAKING.**—If the Assessor believes that the collection of any tax imposed by this article will be jeopardized by delay, he shall, whether or not the time otherwise prescribed by law for making return and paying such tax has expired, immediately assess such tax (together with all interest and penalties, the assessment of which is provided for by law). Such tax, penalties, and interest shall thereupon become immediately due and payable, and immediate notice and demand shall be made by the Collector for the payment thereof. Upon failure or refusal to pay such tax, penalty, and interest, collection thereof by distraint shall be lawful.

Collection by distraint.

(b) **BOND TO STAY COLLECTION.**—The collection of the whole or any part of the amount of such assessment may be stayed by filing with the Collector a bond in such amount, not exceeding double the amount as to which the stay is desired, and with such sureties as the Collector deems necessary, conditioned upon the payment of the amount the collection of which is stayed, at the time at which, but for this section, such amount would be due.

SEC. 7. (a) **TIME OF PAYMENT.**—One-half of the total amount of the tax due as shown on the taxpayer's return shall be paid to the Collector on the 15th day of April following the close of the calendar year and the remaining one-half of such tax shall be paid to the Collector on the 15th day of October following the close of the calendar year, or, if the return be made on the basis of a fiscal year, then one-half of the total amount of such tax shall be paid on the 15th day of the fourth month following the close of the fiscal year and the remaining one-half of such tax shall be paid on the 15th day of the tenth month following the close of the fiscal year. Any deficiency in tax determined by the Assessor under the provisions of section 5 of this title shall be due and payable within ten days from the date of the assessment.

Payment of deficiency.

(b) **EXTENSION OF TIME FOR PAYMENTS.**—At the request of the taxpayer the Assessor may extend the time for payment by the taxpayer of the amount determined as the tax for a period not to exceed six months from the date prescribed for the payment of the tax or an installment thereof: *Provided, however,* That where the time for filing a return is extended for a period exceeding six months under the provisions of title V, section 3 (b), the Assessor may extend the time for payment of the tax, or the first installment thereof, to the same date to which he has extended the time for filing the return. In such case the amount in respect to which the extension is granted shall be paid on or before the date of the expiration of the period of the extension.

Extension exceeding six months.

*Ante*, p. 342.

(c) **VOLUNTARY ADVANCE PAYMENT.**—A tax imposed by this article, or any installment thereof, may be paid, at the election of the taxpayer, prior to the date prescribed for its payment.

SEC. 8. **WITHHOLDING OF TAX AT SOURCE.**—Whenever the Assessor shall deem it necessary in order to satisfy the District's claim for a tax payable by any foreign corporation or unincorporated business, he may, by rules and regulations, require any person subject to the jurisdiction of the District to withhold and pay to the Collector an amount not in excess of 5 per centum of all income payable by such person to such foreign corporation or unincorporated business. After such foreign corporation or unincorporated business shall have filed all returns required under this title, and the same shall have been audited, the Collector shall refund any overpayment to the taxpayer.

Tax payable by foreign corporation, etc.

Refund of overpayment.

SEC. 9. **TAX A PERSONAL DEBT.**—Every tax imposed by this article, and all increases, interest, and penalties thereof, shall become, from the time it is due and payable, a personal debt, from the person or

Priority, etc.

persons liable to pay the same to the District and shall be entitled to the same priority as other District taxes, and the taxes levied under this article and the interest and penalties thereon shall be collected by the Collector in the manner provided by law for the collection of taxes due the District on personal property in force at the time of such collection.

**SEC. 10. PERIOD OF LIMITATION UPON ASSESSMENT AND COLLECTION.—**

(a) **GENERAL RULE.**—Except as provided in subsection (b) of this section—

Assessment within three years.

(1) the amount of income taxes imposed by this article shall be assessed within three years after the return is filed, and no proceeding in court without assessment for the collection of such taxes shall be begun after the expiration of such period;

Request for assessment.

(2) in the case of income received during the lifetime of a decedent, or by his estate during the period of administration, or by a corporation, the tax shall be assessed, and any proceeding in court without assessment for the collection of such tax shall be begun within twelve months after written request therefor (filed after the return is made) by the executor, administrator, or other fiduciary representing the estate of such decedent, or by the corporation, but not after the expiration of three years after the return is filed. This subsection shall not apply in the case of a corporation unless—

Applicability to corporation.

(A) such written request notifies the Assessor that the corporation contemplates dissolution at or before the expiration of such twelve-month period; and

(B) the dissolution is in good faith begun before the expiration of such twelve-month period; and

(C) the dissolution is completed;

Omission from gross income.

(3) if the taxpayer omits from gross income an amount properly includible therein which is in excess of 25 per centum of the amount of gross income stated in the return, the tax may be assessed, or a proceeding in court for the collection of such tax may be begun without assessment, at any time within five years after the return was filed;

Return filed prior to last day.

(4) for the purposes of subsections (a) (1), (a) (2), and (a) (3), a return filed before the last day prescribed by law for the filing thereof shall be considered as filed on such last day: *Provided, however,* That the periods of limitation upon the assessment and collection of taxes provided in this section in cases where the taxpayer has appealed to the Board of Tax Appeals as provided in this article shall be suspended until such cases have been finally disposed of in the Board of Tax Appeals by final decision, dismissal, or otherwise.

Suspension of periods of limitation.

(b) **FALSE RETURN.**—In the case of a false or fraudulent return with intent to evade tax or of a failure to file a return, the tax may be assessed, or a proceeding in court for the collection of such tax may be begun without assessment, at any time.

(c) **WAIVER.**—Where before the expiration of the time prescribed in subsection (a) for the assessment of the tax, both the Assessor and the taxpayer have consented in writing to its assessment after such time, the tax may be assessed at any time prior to the expiration of the period agreed upon. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon.

(d) **COLLECTION AFTER ASSESSMENT.**—Where the assessment of any income tax imposed by this article has been made within the period of limitation properly applicable thereto, such tax may be collected by distraint or by a proceeding in court, but only if begun

(1) within three years after the assessment of the tax or (2) prior to the expiration of any period for collection agreed upon in writing by the Assessor and the taxpayer before the expiration of such three-year period. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon.

SEC. 11. REFUNDS.—Except as to any deficiency taxes assessed under the provisions of section 5 of this title, where there has been an overpayment of any tax imposed by this article, the amount of such overpayment shall be credited against any income tax or installment thereof, whether such tax was assessed as a deficiency or otherwise, then due from the taxpayer, and the balance shall be refunded to the taxpayer. No such credit or refund shall be allowed after three years from the time the tax was paid unless before the expiration of such period a claim therefor is filed by the taxpayer, and no tax or part thereof which the Assessor may determine to have been an overpayment shall be refunded after the period prescribed therefor in the Act appropriating the funds from which such refund would otherwise be made. The amount of such credit or refund shall not exceed the portion of the tax paid during the three years immediately preceding the filing of the claim, or if no claim was filed, then during the three years immediately preceding the allowance of such credit or refund. Every claim for credit or refund must be in writing, under oath; must state the specific grounds upon which the claim is founded, and must be filed with the Assessor: *Provided*, That if it shall be determined by the Assessor, the Board of Tax Appeals for the District of Columbia, or any court that any part of any tax which was assessed as a deficiency under the provisions of section 5 of this title was an overpayment, interest shall be allowed and paid upon such overpayment at the rate of 4 per centum per annum from the date such overpayments were paid until the date of refund.

SEC. 12. CLOSING AGREEMENTS.—The Assessor is authorized to enter into a written agreement with any person relating to the liability of such person (or of the person or estate for whom he acts) in respect of any income tax for any period ending prior to the date of the agreement. If such agreement is approved by the Commissioners within such time as may be stated in such agreement, or later agreed to, such agreement shall be final and conclusive and except upon a showing of fraud or malfeasance, or misrepresentation of a material fact—the case shall not be reopened as to the matters agreed upon or the agreement modified; and in any suit or proceeding relating to the tax liability of the taxpayer such agreement shall not be annulled, modified, set aside, or disregarded.

SEC. 13. COMPROMISES.—(a) **AUTHORITY TO MAKE.**—Whenever in the opinion of the Commissioners there shall arise with respect of any tax imposed under this article any doubt as to the liability of the taxpayer or the collectibility of the tax for any reason whatsoever, the Commissioners may compromise such tax.

(b) **CONCEALMENT OF ASSETS.**—Any person who, in connection with any compromise under this section or offer of such compromise or in connection with any closing agreement under this title or offer to enter into any such agreement, willfully (1) conceals from any officer or employee of the District of Columbia any property belonging to the estate of the taxpayer or other person liable with respect of the tax, or (2) receives, destroys, mutilates, or falsifies any book, document, or record or makes under oath any false statement relating to the estate or the financial condition of the taxpayer or to the person liable in respect of the tax, shall, upon conviction thereof, be fined not more than \$5,000 or imprisoned for not more than one year, or both.

Crediting of overpayment, etc.  
*Ante*, p. 352.

Time limitation.

Limitation on amount of credit or refund.

Filing of claim.

Interest on overpayment.

*Ante*, p. 352.

Penalty.



## Prosecutions.

All prosecutions under this section shall be brought in the municipal court of the District of Columbia on information by the Corporation Counsel of the District of Columbia or any of his assistants in the name of the District of Columbia.

(c) OF PENALTIES AND INTEREST.—The Commissioners shall have the power for cause shown to compromise any penalty which may be imposed by the Assessor under the provisions of this article. The Assessor may adjust any interest where, in his opinion, the facts in the case warrant such action.

SEC. 14. DEFINITION OF "PERSON".—The term "person" as used in this title includes an officer or employee of a corporation, or a member or employee of a partnership, who as such officer, employee, or member is under duty to perform the act in respect to which the violation occurs.

SEC. 15. PAYMENT TO COLLECTOR AND RECEIPTS.—The taxes provided under this article shall be collected by the Collector and the revenues derived therefrom shall be turned over to the Treasury of the United States for credit to the District in the same manner as other revenues are turned over to the United States Treasury for credit to the District. The Collector shall, upon written request, give to the person making payment of any income tax a full written or printed receipt therefor.

## TITLE XIII—PENALTIES AND INTEREST

## Addition to tax.

SEC. 1. FAILURE TO FILE RETURN.—In case of any failure to make and file a return required by this article, within the time prescribed by law or prescribed by the Commissioners or Assessor in pursuance of law, 5 per centum of the tax shall be added to the tax for each month or fraction thereof that such failure continues, not to exceed 25 per centum in the aggregate, except that when a return is filed after such time and it is shown that the failure to file it was due to reasonable cause and not due to willful neglect, no such addition shall be made to the tax. The amount so added to any tax shall be collected at the same time and in the same manner and as a part of the tax unless the tax has been paid before the discovery of the neglect, in which case the amount so added shall be assessed and collected.

SEC. 2. INTEREST ON DEFICIENCIES.—(a) Interest upon the amount determined as a deficiency shall be assessed at the same time as the deficiency, shall be paid upon notice and demand from the Collector, and shall be collected as a part of the tax, at the rate of 6 per centum per annum from the date prescribed for the payment of the tax (or, if the tax is paid in installments, from the date prescribed for the payment of the first installment) to the date the deficiency is assessed.

(b) IF EXTENSION GRANTED FOR PAYMENT OF DEFICIENCY.—If the time for payment of any part of a deficiency is extended, there shall be collected, as a part of the tax, interest on the part of the deficiency the time for payment of which is so extended at the rate of 6 per centum per annum for the period of the extension. If a part of the deficiency the time for payment of which is so extended is not paid in full, together with all penalties and interest due thereon, prior to the expiration of the period of the extension, then interest at the rate of 6 per centum per annum shall be added and collected on such unpaid amount from the date of the expiration of the period of the extension until it is paid.

SEC. 3. ADDITIONS TO THE TAX IN CASE OF DEFICIENCY.—(a) NEGLIGENCE.—If any part of any deficiency is due to negligence, or intentional disregard of rules and regulations but without intent to defraud, 5 per centum of the total amount of the deficiency (in addition to such deficiency) shall be assessed, collected, and paid in the same manner as if it were a deficiency.

(b) **FRAUD.**—If any part of any deficiency is due to fraud with intent to evade tax, then 50 per centum of the total amount of the deficiency (in addition to such deficiency) shall be so assessed, collected, and paid.

**SEC. 4. ADDITIONS TO THE TAX IN CASE OF NONPAYMENT.**—(a) **TAX SHOWN ON RETURN.**—(1) **GENERAL RULE.**—Where the amount determined by the taxpayer as the tax imposed by this article, or any installment thereof, or any part of such amount or installment, is not paid on or before the date prescribed for its payment, there shall be collected as a part of the tax interest upon such unpaid amount at the rate of 6 per centum per annum from the date prescribed for its payment until it is paid.

(2) **IF EXTENSION GRANTED.**—Where an extension of time for payment of the amount so determined as the tax by the taxpayer, or any installment thereof, has been granted, and the amount the time for payment of which has been extended, and the interest thereon determined under section 5 of this title is not paid in full prior to the expiration of the period of the extension, then, in lieu of the interest provided for in subsection (a) (1) of this section, interest at the rate of 6 per centum per annum shall be collected on such unpaid amount from the date of the expiration of the period of the extension until it is paid.

(b) **DEFICIENCY.**—Where a deficiency, or any interest or additional amounts assessed in connection therewith under section 2 or under section 3, or any addition to the tax in case of delinquency provided for in section 1 is not paid in full within ten days from the date of assessment thereof, there shall be collected, as part of the tax, interest upon the unpaid amount at the rate of 6 per centum per annum from the date of such notice and demand until it is paid.

**SEC. 5. TIME EXTENDED FOR PAYMENT OF TAX SHOWN ON RETURN.**—If the time for payment of the amount determined as the tax by the taxpayer, or any installment thereof, is extended under the authority of title XII, section 7 (b), there shall be collected, as a part of such amount, interest thereon at the rate of 6 per centum per annum from the date when such payment should have been made if no extension had been granted, until the expiration of the period of the extension.

**SEC. 6. PENALTIES.**—(a) **WILLFUL VIOLATION.**—Any person required under this article to pay or collect any tax, or required by law or regulations made under authority thereof to make a return, keep any records, or supply any information, for the purposes of this article, who willfully refuses to pay or collect such tax, to make such return, to keep such records, or to supply such information, or who makes a false or fraudulent return, or who willfully attempts in any manner to defeat or evade the tax imposed by this Act, shall, in addition to other penalties provided by law, be guilty of a misdemeanor and shall be fined not more than \$5,000 or imprisoned for not more than one year, or both, together with costs of prosecution. All prosecutions under this section shall be brought in the Municipal Court of the District of Columbia on information by the Corporation Counsel or one of his assistants in the name of the District.

(b) **DEFINITION OF "PERSON."**—The term "person" as used in this title includes an officer or employee of a corporation, or a member or employee of a partnership, who as such officer, employee, or member is under duty to perform the act in respect to which the violation occurs.

#### TITLE XIV—LICENSES

**SEC. 1. REQUIREMENT.**—No corporation or unincorporated business, except such corporations or unincorporated businesses as are expressly exempt under the provisions of title II of this article, shall engage in or carry on any trade or business in the District without a license

*Ante*, p. 353.

Prosecutions.

*Ante*, p. 334.

53 Stat. 1085.  
D. C. Code §§ 47-  
1501 to 47-1543.  
*Ante*, p. 331.  
Time limitation.

Applications.

Nontransferability.

Waiver.

*Ante*, p. 349.

so to do issued under this article in addition to all other licenses and permits required by law, except as hereinafter provided. For the first calendar year to which this article is applicable, no license shall be required of any corporation licensed under the provisions of the Act of July 26, 1939, as amended. Every corporation not so licensed and every unincorporated business shall obtain such license within sixty days after the approval of this Act. Every corporation or unincorporated business which commences to engage in or carry on any trade or business in the District after the passage of this Act shall obtain a license under this article within sixty days after the date of the commencement of such trade or business in the District. Applications for licenses shall be filed with the Assessor prior to January 1 of each year upon forms prescribed and furnished by the Assessor, and each application shall be accompanied by a fee of \$10.

SEC. 2. DURATION OF LICENSE.—All licenses issued under this title shall be in effect for the duration of the calendar year for which issued, unless revoked as provided in this title, and shall expire at midnight on the 31st day of December of each year. No license may be transferred to any other corporation or unincorporated business.

SEC. 3. LICENSES TO BE POSTED.—All licenses granted under this title to corporations or unincorporated businesses having an office or place of business in the District must be conspicuously posted in the office or on the premises of the licensee, and said license shall be accessible at all times for inspection by the police or other officers duly authorized to make such inspection.

SEC. 4. WHERE A CORPORATION OR UNINCORPORATED BUSINESS HAS NO OFFICE OR PLACE OF BUSINESS IN THE DISTRICT, AGENT OR EMPLOYEE SHALL CARRY CERTIFICATE OR LICENSE.—Every corporation and every unincorporated business not having an office or place of business in the District which engages in or carries on any trade or business in the District by or through an employee or agent shall procure the license provided by this title. Every employee or agent of any such corporation or unincorporated business shall carry either the license or a certificate from the Assessor that the license has been obtained, which license or certificate shall be exhibited to the police or other officers duly authorized to inspect the same. Such certificate shall be in such form as the Assessor shall determine, and shall be furnished, without charge, by the Assessor, upon request. No employee or agent of the corporation not having an office or place of business in the District shall engage in or carry on any trade or business in the District for or on behalf of such corporation or unincorporated business unless such corporation or unincorporated business shall have first obtained a license, as provided by this title.

SEC. 5. REVOCATION.—The Commissioners may, after hearing, revoke any license issued hereunder for failure of the licensee to file a return or corrected return within the time required by this article, or to pay any installment of tax when due.

SEC. 6. RENEWAL.—Licenses shall be renewed for the ensuing calendar year upon application as provided in section 1 of this title. No license shall be issued or renewed if the taxpayer has failed or refused to pay any tax or installment thereof, or penalties or interest thereon, imposed by this article: *Provided, however*, That the Commissioners, in their discretion, for cause shown, may, on such terms or conditions as they may determine or prescribe, waive the provisions of this section.

SEC. 7. PENALTY FOR FAILURE TO OBTAIN LICENSE.—Any corporation or unincorporated business engaged in or carrying on any trade or business in the District or receiving income from sources within the District within the meaning of title X of this article without having obtained a license so to do, within the time prescribed by section 1 of

this title, and any person engaging in or carrying on any trade or business in the District or receiving income from sources within the District within the meaning of title X of this article for or on behalf of any corporation or unincorporated business not having a license so to do, shall, upon conviction thereof, be fined not more than \$300 for each and every failure, refusal, or violation, and each and every day that such failure, refusal, or violation continues shall constitute a separate and distinct offense. All prosecutions under this section shall be brought in the municipal court of the District of Columbia on information by the Corporation Counsel or any of his assistants in the name of the District: *Provided, however,* That the provisions of this section shall not apply to mere collection by an agent of income of a corporation or unincorporated business not having the license required under this title.

Prosecutions.

Nonapplicability.

#### TITLE XV—APPEAL

SEC. 1. APPEAL TO BOARD OF TAX APPEALS FOR THE DISTRICT OF COLUMBIA.—Any person aggrieved by any assessment of a deficiency in tax determined and assessed by the Assessor under the provisions of title XII, section 5, of this article and any person aggrieved by the denial of any claim for refund made under the provisions of title XII, section 11 of this article, may, within ninety days from the date of the assessment of the deficiency or from the date of the denial of a claim for refund, as the case may be, appeal to the Board of Tax Appeals for the District of Columbia, in the same manner and to the same extent as set forth in sections 3, 4, 7, 8, 9, 10, 11, and 12 of title IX of the Act entitled "An Act to amend the District of Columbia Revenue Act of 1937, and for other purposes", approved May 16, 1938, and as the same may hereafter be amended.

*Ante*, p. 352.*Ante*, p. 355.

52 Stat. 371, 374-375.  
D. C. Code §§ 47-2403, 47-2404, 47-2407 to 47-2411.

SEC. 2. ELECTION OF REMEDY.—The remedy provided in section 1 of this title shall not be deemed to take away from the taxpayer any remedy which he might have under any other provision of law, but no suit by the taxpayer for the recovery of any part of any tax shall be instituted in any court if the taxpayer has elected to file an appeal with respect to such tax in accordance with the provisions of section 1 of this title.

#### TITLE XVI—RULES AND REGULATIONS

SEC. 1. The Commissioners shall prescribe and publish such rules and regulations, consistent with the provisions of this article, as may be necessary and proper for its enforcement and efficient administration.

#### ARTICLE II—INCREASE IN RATE OF TAXATION OF REAL AND TANGIBLE PERSONAL PROPERTY

For each of the fiscal years ending June 30, 1948, and June 30, 1949, respectively, the rate of taxation imposed for the District of Columbia on real and tangible personal property shall not be less than 2 per centum on the assessed value of such property.

#### ARTICLE III—INCREASE IN MOTOR-FUEL TAX

SEC. 1. The tax of 2 cents per gallon on motor-vehicle fuels within the District of Columbia, sold or otherwise disposed of by an importer, or used by him in a motor vehicle operated for hire or for commercial purposes, imposed by the Act entitled "An Act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes", approved April 23, 1924, as amended, and increased by the Act entitled "An Act increasing motor-vehicle-fuel taxes in the District of Columbia for the period January 1, 1942, to June 30, 1951", approved

43 Stat. 106.  
D. C. Code §§ 47-1901 to 47-1916.

55 Stat. 871.  
D. C. Code, Supp.  
V, §§ 47-1901a, 47-1904  
to 47-1906.

43 Stat. 109.  
D. C. Code § 47-  
1912.

Repeal.

55 Stat. 871.  
D. C. Code, Supp.  
V, § 47-1901a.

December 26, 1941, to 3 cents per gallon effective January 1, 1942, and extending to and including June 30, 1951, is hereby further increased to 4 cents per gallon effective on the first day of the first month following the approval of this Act and extending to and including June 30, 1952, and thereafter the tax shall be 3 cents per gallon. When, pursuant to section 14 of such Act, gasoline or other motor-vehicle fuel is sold by any agency of the United States within the District of Columbia, for use in privately owned vehicles, such agency of the United States shall, by agreement with the Commissioners of the District of Columbia, arrange for the collection of the full amount of the tax per gallon herein authorized to be imposed and as increased by this section, and shall account to the collector of taxes of the District of Columbia for the proceeds of such tax collections.

SEC. 2. Section 1 of the Act entitled "An Act increasing motor-vehicle-fuel taxes in the District of Columbia for the period January 1, 1942, to June 30, 1951", approved December 26, 1941, is hereby repealed, effective on the first day of the first month following the approval of this Act.

#### ARTICLE IV—AMENDMENT TO MOTOR VEHICLE INSPECTION ACT

52 Stat. 78.  
D. C. Code § 40-201.

SEC. 1. Section 1 of the Act entitled "An Act to provide for the annual inspection of all motor vehicles in the District of Columbia", approved February 18, 1938, be, and the same hereby is, amended to read as follows:

"That at the time of the registration of each motor vehicle or trailer there shall be levied and collected a fee known as the 'inspection fee' of \$1."

52 Stat. 78.  
D. C. Code § 40-203.

SEC. 2. Section 3 of said Act is hereby amended by inserting immediately after the words "motor vehicles" the words "and trailers".

52 Stat. 78.  
D. C. Code § 40-204.

SEC. 3. Section 4 of said Act is hereby amended by inserting immediately after the words "motor vehicles" the words "and trailers".

Effective date.

SEC. 4. This article shall become effective thirty days after the approval of this Act.

#### ARTICLE V—INCREASE IN WATER RENTS AND ASSESSMENTS FOR WATER MAINS

SEC. 1. Water rents charged by the District of Columbia for water used in the District of Columbia on and after July 1, 1947, shall be increased 25 per centum over the rents now in effect. Whenever the application of this increase to an existing rate results in a rate with a fractional part of a cent, the rate shall be, if the fraction be one-half cent or more, the nearest higher amount not containing a fraction, and, if the fraction be less than one-half cent, the nearest lower amount not containing a fraction. In computing the rent for the consumption of water in excess of the minimum amount allowed by law for metered service, if the rent is charged for a period beginning prior to July 1, 1947, and ending thereafter, the rent for such excess consumption shall be prorated.

33 Stat. 244.  
D. C. Code §§ 43-  
1510 to 43-1517.

SEC. 2. The rate of assessment for laying or constructing water mains in the District of Columbia under the provisions of the Act entitled "An Act authorizing the laying of water mains and service sewers, and for other purposes", approved April 22, 1904, is hereby established at \$1.90 per linear foot for any water mains constructed or laid on and after July 1, 1947.

## ARTICLE VI—FEDERAL PAYMENT

For the fiscal year ending June 30, 1948, and for each fiscal year thereafter, there is hereby authorized to be appropriated, as the annual payment by the United States toward defraying the expenses of the government of the District of Columbia, the sum of \$12,000,000, of which \$11,000,000 shall be credited to the general fund of the District of Columbia and \$1,000,000 shall be credited to the water fund of the District of Columbia, established by law (title 43, ch. 15, D. C. Code, 1940 edition).

Appropriations au-  
thorized.  
Post, p. 425.

## ARTICLE VII—SEPARABILITY CLAUSE

If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of the Act, and the application of such provision to the other persons or circumstances, shall not be affected thereby.

Approved July 16, 1947.

## [CHAPTER 261]

## JOINT RESOLUTION

Making temporary appropriations for the fiscal year 1948.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That there are hereby appropriated, and out of applicable corporate or other revenue, receipts, and funds, respectively, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to meet pay rolls (obligations for which were incurred in accordance with section 102 of the Second Urgent Deficiency Appropriation Act, 1947, Public Law 122, or in accordance with provisions of the Emergency Appropriation Act, 1948, Public Law 161) for pay periods ending prior to July 16, 1947: *Provided*, That expenditures hereunder shall be charged to the appropriate appropriations for the fiscal year 1948 when made.

Approved July 17, 1947.

July 17, 1947  
[H. J. Res. 240]  
[Public Law 196]

Temporary appro-  
priations, 1948.

Ante, p. 187.

Ante, p. 243.

## [CHAPTER 262]

## AN ACT

Making appropriations for the Legislative Branch for the fiscal year ending June 30, 1948, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch for the fiscal year ending June 30, 1948, namely:

July 17, 1947  
[H. R. 3993]  
[Public Law 197]

Legislative Branch  
Appropriation Act,  
1948.

*Supra*; ante, pp. 118,  
187, 188, 245; *post*, pp.  
608, 609, 610, 611, 695,  
696, 941.

## SENATE

## SALARIES, MILEAGE, AND EXPENSES OF SENATORS

For compensation of Senators, \$1,200,000.

For mileage of the President of the Senate and of Senators, \$51,000.

For expense allowance of Senators, \$240,000.

Post, p. 941.

## SALARIES, OFFICERS AND EMPLOYEES

For compensation of officers, employees, clerks to Senators, and others, as authorized by law, including increased and additional compensation provided by the "Federal Employees Pay Act of 1945", as amended by the "Federal Employees Pay Act of 1946", as follows:

59 Stat. 295; 60 Stat. 216.  
5 U. S. C. § 901  
*et seq.*  
*Post*, p. 727.

## OFFICE OF THE VICE PRESIDENT

For compensation of the Vice President of the United States, \$20,000.

For clerical assistance to the Vice President, at rates of compensation to be fixed by him, \$32,385.

## CHAPLAIN

Chaplain of the Senate, \$2,520.

## OFFICE OF THE SECRETARY

Disbursing office.

For office of the Secretary, \$306,815: *Provided*, That the basic lump sum for additional clerical assistance and readjustment of salaries in the disbursing office is increased by \$2,520: *Provided further*, That the basic annual rates of compensation for the following positions shall be: Printing clerk, \$5,000; keeper of stationery, \$4,000; librarian, \$4,000; clerk, \$3,000 in lieu of clerk, \$2,760; assistant at press door, \$2,520 in lieu of \$2,400; coordinator, joint recording facility, \$6,660.

## COMMITTEE EMPLOYEES

For professional and clerical assistance to standing committees, \$1,335,785.

## CONFERENCE COMMITTEES

For clerical assistance to the Conference of the Majority, at rates of compensation to be fixed by the chairman of said committee, \$26,380.

For clerical assistance to the Conference of the Minority, at rates of compensation to be fixed by the chairman of said committee, \$26,380.

## ADMINISTRATIVE AND CLERICAL ASSISTANTS TO SENATORS

For administrative and clerical assistants and messenger service for Senators, \$4,482,555.

*Post*, pp. 610, 665.

## OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

For office of Sergeant at Arms and Doorkeeper, \$775,850: *Provided*, That the salaries of pages shall cover the periods from July 1 to July 31, 1947; inclusive, and from January 1 to June 30, 1948, inclusive, at the basic salary rate of \$1,800 per annum each: *Provided further*, That the following positions are abolished: Clerk on Journal work for Congressional Record to be selected by the Official Reporters, \$3,360; messenger, \$2,140; three female attendants in charge of ladies' retiring rooms, Senate Office Building, at \$1,560 each; laborer in charge of Senate toilet rooms in old library space, \$1,260: *Provided further*, That the rates of basic annual compensation for the following positions shall be: Clerk, \$3,480 in lieu of clerk, \$3,300; clerk, \$3,300 in lieu of clerk, \$3,120; superintendent, Periodical Press Gallery, \$3,660; assistant postmaster, \$4,140; messengers (acting as assistant doorkeepers)—four at \$2,560 each in lieu of three at \$2,560 each; cabinetmakers—chief, \$3,080; two at \$2,460 each; finisher, \$2,460;

upholsterer, \$2,460; janitors—chief, \$3,200; assistant, \$1,860; female attendants in charge of ladies' retiring rooms—two at \$1,560 each in lieu of four at \$1,560 each; laborers—twenty-seven at \$1,320 each in lieu of twenty-six at \$1,320 each; four at \$540 each in lieu of three at \$540 each.

#### OFFICES OF THE SECRETARIES FOR THE MAJORITY AND THE MINORITY

*Post*, p. 610.

For the offices of the secretary for the majority and the secretary for the minority, heretofore included under the office of the Sergeant at Arms, \$43,120.

#### CONTINGENT EXPENSES OF THE SENATE

*Post*, p. 611.

Legislative reorganization: For salaries and expenses, legislative reorganization, including the objects specified in Public Law 663, Seventy-ninth Congress, \$100,000.

60 Stat. 910.

Senate policy committees: For salaries and expenses of the Majority Policy Committee and Minority Policy Committee, \$41,000 for each such committee; in all, \$82,000.

Joint Committee on the Economic Report: For salaries and expenses of the Joint Committee on the Economic Report, as authorized by Public Law 304, Seventy-ninth Congress, \$70,000.

60 Stat. 23.  
15 U. S. C. §§ 1021–  
1024.

Joint Committee on Atomic Energy: For salaries and expenses of the Joint Committee on Atomic Energy, including the objects specified in Public Law 20, Eightieth Congress, \$150,000.

*Ante*, p. 16.

Joint Committee on Printing: For salaries for the Joint Committee on Printing, \$19,710, and for expenses of compiling, preparing, and indexing the Congressional Directory, \$1,600; in all, \$21,310.

Vice President's Automobile: For purchase, exchange, driving, maintenance, and operation of an automobile for the Vice President, \$5,000.

Automobiles for majority and minority leaders: For purchase, exchange, driving, maintenance, and operation of two automobiles, one for the majority leader of the Senate, and one for the minority leader of the Senate, \$10,000.

Reporting Senate proceedings: For reporting the debates and proceedings of the Senate, payable in equal monthly installments, \$100,260.

Furniture: For services in cleaning, repairing, and varnishing furniture, \$2,760.

Furniture: For materials for furniture and repairs of same, exclusive of labor, and for the purchase of furniture, \$12,000.

Inquiries and investigations: For expenses of inquiries and investigations ordered by the Senate or conducted pursuant to section 134 (a) of Public Law 601, Seventy-ninth Congress, including compensation for stenographic assistance of committees at such rates and in accordance with such regulations as may be prescribed by the Committee on Rules and Administration, but not exceeding the rate of 25 cents per hundred words for the original transcript of reported matter; and including \$50,000 for the Committee on Appropriations for the purposes mentioned in Senate Resolution Numbered 193, agreed to October 14, 1943, and Public Law 20, Eightieth Congress, \$650,000: *Provided*, That no part of this appropriation shall be expended for per diem and subsistence expenses, except in accordance with the provisions of the Subsistence Expense Act of 1926, approved June 3, 1926, as amended.

60 Stat. 831.

*Ante*, p. 14.

44 Stat. 688.  
5 U. S. C. § 821.

Folding documents: For folding speeches and pamphlets at a basic rate not exceeding \$1 per thousand, \$25,000.



Materials for folding: For materials for folding, \$1,500.

Fuel, and so forth: For fuel, oil, cotton waste, and advertising, exclusive of labor, \$2,000.

*Post*, pp. 611, 696.  
56 Stat. 750.  
40 U. S. C. §§ 174f-174j.

Senate restaurants: For payment to the Architect of the Capitol in accordance with the Act approved September 9, 1942 (Public Law 709, Seventy-seventh Congress), \$45,000.

Motor vehicles: For maintaining, exchanging, and equipping motor vehicles for carrying the mails and for official use of the offices of the Secretary and Sergeant at Arms, \$9,560.

Miscellaneous items: For miscellaneous items, exclusive of labor, \$626,765.

Packing boxes: For packing boxes, \$3,000.

Postage stamps: For office of Secretary, \$350; office of Sergeant at Arms, \$150; in all, \$500.

Air-mail and special-delivery stamps: For air-mail and special-delivery stamps for Senators and the President of the Senate as authorized by law, \$10,250.

Stationery: For stationery for Senators and for the President pro tempore of the Senate, including \$7,500 for stationery for committees and offices of the Senate, \$46,300.

Rent: For rent of warehouse for storage of public documents from July 1 to November 30, 1947, \$2,645.

59 Stat. 295; 60 Stat. 216.  
5 U. S. C. § 901 *et seq.*  
*Post*, p. 727.

Salaries or wages paid out of the foregoing items under "Contingent expenses of the Senate" shall be computed at basic rates as authorized by law, plus increased and additional compensation as provided by the "Federal Employees Pay Act of 1945", as amended by the "Federal Employees Pay Act of 1946".

## HOUSE OF REPRESENTATIVES

### SALARIES, MILEAGE, AND EXPENSES OF MEMBERS

For compensation of Members of the House of Representatives, Delegates from Territories, and the Resident Commissioner from Puerto Rico, \$5,482,500.

*Post*, p. 941.

For mileage and expense allowance of Members of the House of Representatives, Delegates from Territories, and the Resident Commissioner from Puerto Rico, as authorized by law, \$1,266,000.

*Post*, p. 696.

### SALARIES, OFFICERS AND EMPLOYEES

59 Stat. 295; 60 Stat. 216.  
5 U. S. C. § 901 *et seq.*  
*Post*, p. 727.

For compensation of officers and employees, as authorized by law, including increased and additional compensation provided by the "Federal Employees Pay Act of 1945", as amended by the "Federal Employees Pay Act of 1946", as follows:

#### OFFICE OF THE SPEAKER

For Office of the Speaker, \$38,000.

#### THE SPEAKER'S TABLE

*Post*, p. 611.

For the Speaker's table, including \$1,000 for preparing Digest of the Rules, \$24,120: *Provided*, That the salary of the Assistant Parliamentarian shall be at the basic rate of \$4,000 and \$3,000 additional so long as the position is held by the present incumbent.

#### CHAPLAIN

For the Chaplain, \$3,750.

## OFFICE OF THE CLERK

For the Office of the Clerk, \$384,335: *Provided*, That one position of clerk at the basic rate of \$2,340 is hereby abolished and in lieu thereof there shall be an additional assistant Journal clerk at the basic rate of \$2,860: *Provided further*, That the following positions and basic rates of compensation are established under the Joint Recording Facility: Director of studios, \$3,240; chief engineer, \$2,220; first assistant engineer, \$1,800; second assistant engineer, \$1,680; secretary, \$1,500.

## COMMITTEE EMPLOYEES

Post, p. 611.

For committee employees, including a sum not to exceed \$165,000 for the Committee on Appropriations, \$1,521,750.

## OFFICE OF THE SERGEANT AT ARMS

For Office of the Sergeant at Arms, \$274,635.

Post, p. 696.

## OFFICE OF THE DOORKEEPER

For Office of the Doorkeeper, \$459,530: *Provided*, That the salaries of pages shall cover the periods from July 1 to July 31, 1947, inclusive, and from January 1 to June 30, 1948, inclusive, at the basic salary rate of \$1,800 per annum each: *Provided further*, That the salary of the superintendent, House Periodical Press Gallery, shall be at the basic rate of \$3,000.

## SPECIAL AND MINORITY EMPLOYEES

For six minority employees, \$35,890.

For three special employees, \$7,040.

For office of the majority floor leader, including \$2,000 for official expenses of the majority leader, \$32,825.

For office of the minority floor leader, \$24,260: *Provided*, That the title of the position of "janitor" is hereby changed to "messenger".

For two messengers, one in the majority caucus room and one in the minority caucus room, to be appointed by the majority and minority whips, respectively, \$5,105.

For two printing clerks, one for the majority caucus room and one for the minority caucus room, to be appointed by the majority and minority leaders, respectively, \$5,820.

For two clerks, one for the majority whip and one for the minority whip, to be appointed by said whips, respectively, \$8,580.

For a technical assistant in the office of the attending physician, to be appointed by the attending physician, subject to the approval of the Speaker, \$5,120.

## OFFICE OF THE POSTMASTER

For Office of the Postmaster, \$135,480.

## OFFICIAL REPORTERS OF DEBATES

For official reporters of debates, \$100,865.

## OFFICIAL REPORTERS TO COMMITTEES

For official reporters to committees, \$84,725: *Provided*, That hereafter any sums received from the sales of copies of transcripts of hearings of committees reported by such reporters shall be covered into the Treasury as "Miscellaneous receipts".

Transcripts of hearings.

## APPROPRIATIONS COMMITTEE

For salaries and expenses, studies and examinations of executive agencies, by the Committee on Appropriations, to be expended in accordance with section 202 (b) of the Legislative Reorganization Act, 1946, \$150,000.

60 Stat. 834.  
2 U. S. C. § 72a(b).

## CLERK HIRE, MEMBERS AND DELEGATES

For clerk hire necessarily employed by each Member and Delegate, and the Resident Commissioner from Puerto Rico, in the discharge of his official and representative duties, \$5,915,000, as authorized by law, including increased and additional compensation provided by the "Federal Employees Pay Act of 1945", as amended by the "Federal Employees Pay Act of 1946".

59 Stat. 295; 60 Stat. 216.  
5 U. S. C. § 901 et seq.  
*Post*, p. 727.

## CONTINGENT EXPENSES OF THE HOUSE

**Furniture:** For furniture and materials for repairs of the same, including labor, tools, and machinery for furniture repair shops, and for the purchase of packing boxes, \$100,000.

**Miscellaneous items:** For miscellaneous items, exclusive of salaries unless specifically ordered by the House of Representatives, including the sum of \$27,500 for payment to the Architect of the Capitol in accordance with section 208 of the Act approved October 9, 1940 (Public Law 812); the sum of \$1,200 for the exchange, operation, maintenance and repair of the Clerk's motor vehicles; the sum of \$500 for the exchange, operation, maintenance, and repair of the folding room motor truck; the sum of \$2,200 for the purchase, exchange, maintenance, operation, and repair of the post-office motor vehicles for carrying the mails; the sum of \$600 for hire of automobile for the Sergeant at Arms, and materials for folding; in all, \$165,000: *Provided*, That no part of this appropriation shall be used to pay the salaries of three additional laborers authorized in section 2 of the House Resolution Numbered 385, adopted December 17, 1943.

54 Stat. 1056.

Restriction.

**Reporting hearings:** For stenographic reports of hearings of committees other than special and select committees, \$65,000.

*Post*, p. 696.

**Special and select committees:** For salaries and expenses of special and select committees authorized by the House, \$500,000.

**Joint Committee on Internal Revenue Taxation:** For the payment of the salaries and other expenses of the Joint Committee on Internal Revenue Taxation, \$185,000.

**Office of the Coordinator of Information:** For salaries and other expenses of the Office of the Coordinator of Information, \$60,000.

**Telegraph and telephone:** For telegraph and telephone service, exclusive of personal services, \$400,000.

**Stationery:** For a stationery allowance of \$500 for each Representative, Delegate, and the Resident Commissioner from Puerto Rico, for the second session of the Eightieth Congress, and for stationery for the use of the committees, departments, and officers of the House (not to exceed \$8,000), \$227,000, to remain available until expended. There is hereby established a revolving fund for the purpose of administering the funds appropriated for stationery allowances to each Representative, Delegate, the Resident Commissioner from Puerto Rico; and stationery for use of the committees, departments, and officers of the House. All moneys hereafter received by the stationery room of the House of Representatives from the sale of stationery supplies and other equipment shall be deposited in the revolving fund and shall be available for disbursement from the fund in the same manner as other sums that may be appropriated by the Congress for this purpose. The unexpended balance of all moneys

heretofore received by the stationery room of the House of Representatives from the sale of stationery supplies and equipment shall be deposited in the Treasury of the United States to the credit of the fund: *Provided*, That the unexpended balances in the appropriations "Contingent expenses, House of Representatives, stationery, 1945-1946"; "Contingent expenses, House of Representatives, stationery, 1946"; "Contingent expenses, House of Representatives, stationery, 1947-1948", as of June 30, 1947, shall be transferred to and made available for expenditure out of the fund, together with appropriations herein or hereafter made therefor, to remain available until expended.

Transfer of funds.

Attending physician's office: For medical supplies, equipment, and contingent expenses of the emergency room and for the attending physician and his assistants, including an allowance of \$1,500 to be paid to the attending physician in equal monthly installments as authorized by the Act approved June 27, 1940 (54 Stat. 629), and including an allowance of not to exceed \$30 per month each to four assistants as provided by the House resolutions adopted July 1, 1930, January 20, 1932, and November 18, 1940, \$6,985.

Postage stamps: Postmaster, \$200; Clerk, \$400; Sergeant at Arms, \$250; Doorkeeper, \$100; and to enable the Clerk of the House to procure and furnish each Representative, Delegate, and the Resident Commissioner from Puerto Rico, United States air-mail and special-delivery postage stamps as authorized by law, \$32,850; in all \$33,800.

Folding documents: For folding speeches and pamphlets, at a rate not exceeding \$1 per thousand or for the employment of personnel at a rate not to exceed \$5.20 per day per person, \$60,000.

Revision of laws: For preparation and editing of the laws as authorized by the Act approved May 29, 1928 (1 U. S. C. 59), \$10,000, to be expended under the direction of the Committee on the Judiciary.

45 Stat. 1008.  
Post, p. 641.

Speaker's automobile: For exchange, driving, maintenance, repair, and operation of an automobile for the Speaker, \$9,200.

Appropriation for  
committee employees.

The appropriation for committee employees as contained in this Act and hereafter, shall be available in such amounts and under such regulations as may be approved by the Committee on House Administration for compensation of employees of the standing committees of the House of Representatives, except the Committee on Appropriations.

Salaries or wages paid out of the foregoing items under "Contingent expenses of the House" shall be computed at basic rates as authorized by law, plus increased and additional compensation as provided by the "Federal Employees Pay Act of 1945", as amended by the "Federal Employees Pay Act of 1946".

59 Stat. 295; 60 Stat.  
216.  
5 U. S. C. § 901  
et seq.

No part of the appropriation contained in this title for the contingent expenses of the House of Representatives shall be used to defray the expenses of any committee consisting of more than six persons (not more than four from the House and not more than two from the Senate), nor to defray the expenses of any other person except the Sergeant at Arms of the House or a representative of his office, and except the widow or minor children, or both, of the deceased, to attend the funeral rites and burial of any person who at the time of his or her death is a Representative, a Delegate from a Territory, or a Resident Commissioner from Puerto Rico.

Post, p. 727.  
Defraying of designated expenses, restriction.

Every committee serving the House of Representatives shall report to the Clerk of the House within fifteen days after December 31 and June 30 of each year the name, profession, and total salary of each person employed by such committee or any subcommittee thereof during the period covered by such report, and shall make an accounting of funds made available to and expended by such committee or

Reports by committees of persons employed, etc.

60 Stat. 832.

subcommittee during such period, and such information when reported shall be published in the Congressional Record. The first such report shall cover the period beginning on January 3, 1947, and ending on June 30, 1947, and succeeding reports shall cover the six months' period ending on the preceeding December 31 or June 30, as the case may be. The information required to be reported and published shall be in lieu of the information required to be reported and published under section 134 (b) of the Legislative Reorganization Act of 1946, as amended, in the case of committees of the House and their subcommittees.

### CAPITOL POLICE

Post, p. 696.

Capitol Buildings  
and Grounds, etc.  
Additional protec-  
tion.

Status of detailed  
personnel.

Reimbursement for  
salaries, etc.

Details from Metro-  
politan Police, D. C.

55 Stat. 456.

54 Stat. 629.

Disbursement.

General expenses: For purchasing and supplying uniforms, purchase, exchange, maintenance, and repair of motor-propelled passenger-carrying vehicles, contingent expenses, including \$25 per month for extra services performed by a member of such force for the Capitol Police Board, \$15,500.

Capitol Police Board: To enable the Capitol Police Board to provide additional protection for the Capitol Buildings and Grounds, including the Senate and House Office Buildings and the Capitol Power Plant, \$8,600. Such sum shall only be expended for payment for salaries and other expenses of personnel detailed from the Metropolitan Police of the District of Columbia, and the Commissioners of the District of Columbia are authorized and directed to make such details upon the request of the Board. Personnel so detailed shall, during the period of such detail, serve under the direction and instructions of the Board and is authorized to exercise the same authority as members of such Metropolitan Police and members of the Capitol Police and to perform such other duties as may be assigned by the Board. Reimbursement for salaries and other expenses of such detail personnel shall be made to the government of the District of Columbia, and any sums so reimbursed shall be credited to the appropriation or appropriations from which such salaries and expenses are payable and be available for all the purposes thereof: *Provided*, That any person detailed under the authority of this paragraph or under similar authority in the Legislative Branch Appropriation Act, 1942, and the Second Deficiency Appropriation Act, 1940, from the Metropolitan Police of the District of Columbia shall be deemed a member of such Metropolitan Police during the period or periods of any such detail for all purposes of rank, pay, allowances, privileges, and benefits to the same extent as though such detail had not been made, and at the termination thereof any such person who was a member of such police on July 1, 1940, shall have a status with respect to rank, pay, allowances, privileges, and benefits which is not less than the status of such person in such police at the end of such detail.

The foregoing amounts under "Capitol Police" shall be disbursed by the Clerk of the House.

### OFFICE OF THE LEGISLATIVE COUNSEL

59 Stat. 295; 60 Stat.  
216.  
5 U. S. C. § 901  
*et seq.*  
Post, p. 727.

For salaries and expenses of maintenance of the Office of the Legislative Counsel, as authorized by law, including increased and additional compensation as provided by the "Federal Employees Pay Act of 1945", as amended by the "Federal Employees Pay Act of 1946", \$160,000, of which \$80,000 shall be disbursed by the Secretary of the Senate and \$80,000 by the Clerk of the House of Representatives.

## EDUCATION OF SENATE AND HOUSE PAGES

For reimbursement to the District of Columbia for education of congressional pages and pages of the Supreme Court, pursuant to the provisions of section 243 of the Act of Congress entitled "An Act to provide for increased efficiency in the Legislative Branch of the Government", approved August 2, 1946, \$21,300, which amount shall be credited to the appropriation for "General supervision and instruction, public schools, District of Columbia, 1948", and the Board of Education of the District of Columbia is hereby authorized to employ such personnel for the education of pages as may be required and to pay compensation for such services in accordance with such rates of compensation as the Board of Education may prescribe: *Provided*, That, notwithstanding the provisions of section 6 of the Act entitled "An Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and seventeen, and for other purposes", approved May 10, 1916, as amended, the Board of Education of the District of Columbia is authorized and directed to pay Joseph Skubitz and Joseph J. Sullivan for services rendered by them as teachers in the Capitol Page School for the period January 2, 1947, to April 3, 1947, inclusive.

60 Stat. 839.  
2 U. S. C. § 88a.

*Post*, p. 428.

Joseph Skubitz and  
Joseph J. Sullivan.

39 Stat. 120.  
5 U. S. C. §§ 58, 59.

## STATEMENT OF APPROPRIATIONS

For the preparation, under the direction of the Committees on Appropriations of the Senate and House of Representatives of the statements for the first session of the Eightieth Congress, showing appropriations made, indefinite appropriations, and contracts authorized, together with a chronological history of the regular appropriation bills as required by law, \$4,000, to be paid to the persons designated by the chairmen of such committees to do the work.

## ARCHITECT OF THE CAPITOL

*Post*, p. 612.

## OFFICE OF THE ARCHITECT OF THE CAPITOL

Salaries: For the Architect of the Capitol, Assistant Architect of the Capitol (whose compensation shall be at the rate of \$7,000 per annum), Chief Architectural and Engineering Assistant, and other personal services at rates of pay provided by law; and the Assistant Architect of the Capitol shall act as Architect of the Capitol during the absence or disability of that official or whenever there is no Architect, and, in case of the absence or disability of the Assistant Architect, the Chief Architectural and Engineering Assistant shall so act; \$105,000.

Appropriations under the control of the Architect of the Capitol shall be available for expenses of travel on official business not to exceed in the aggregate under all funds the sum of \$1,500.

Travel expenses.

Cost of handling penalty mail, Architect of the Capitol: For deposit in the general fund of the Treasury for cost of penalty mail of the Architect of the Capitol as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$350.

58 Stat. 394.  
39 U. S. C. § 321d.

## CAPITOL BUILDINGS AND GROUNDS

Capitol Buildings: For necessary expenditures for the Capitol Building and electrical substations of the Senate and House Office

**Buildings, under the jurisdiction of the Architect of the Capitol, including minor improvements, maintenance, repair, equipment, supplies, material, fuel, oil, waste, and appurtenances; furnishings and office equipment; special clothing for workmen; waterproof wearing apparel; personal and other services; cleaning and repairing works of art; purchase or exchange, maintenance and driving of motor-propelled passenger-carrying office vehicle; not exceeding \$300 for the purchase of technical and necessary reference books, periodicals, and city directory; not to exceed \$150 for expenses of attendance, when specifically authorized by the Architect of the Capitol, at meetings or conventions in connection with subjects related to work under the Architect of the Capitol; \$463,700.**

**Capitol Grounds:** For care and improvement of grounds surrounding the Capitol, Senate and House Office Buildings; Capitol Power Plant; personal and other services; care of trees; planting; fertilizers; repairs to pavements, walks, and roadways; purchase of waterproof wearing apparel; maintenance of signal lights; and for snow removal by hire of men and equipment or under contract without compliance with section 3709 (41 U. S. C. 5) of the Revised Statutes, \$177,500.

**Legislative garage:** For maintenance, repairs, alterations, personal and other services, and all necessary incidental expenses, \$24,300.

**Subway transportation, Capitol and Senate Office Buildings:** For repairs, rebuilding, and maintenance of the subway system connecting the Senate Office Building with the Senate wing of the United States Capitol and for personal and other services, including maintenance of the cars, track, and electrical equipment connected therewith, \$2,000.

**Senate Office Building:** For maintenance, miscellaneous items and supplies, including furniture, furnishings, and equipment, and for labor and material incident thereto, and repairs thereof; for purchase of waterproof wearing apparel and for personal and other services, including four female attendants in charge of ladies' retiring rooms at \$1,500 each and one at \$1,560, for the care and operation of the Senate Office Building; to be expended under the control and supervision of the Architect of the Capitol; in all, \$547,205.

Compensation of superintendent.

**House Office Buildings:** For maintenance, including equipment, waterproof wearing apparel, miscellaneous items, and for all necessary services, \$652,500, and so long as the position is held by the present incumbent the superintendent of the House Office Buildings shall be paid \$500 per annum in addition to compensation otherwise payable under law.

**Capitol Power Plant:** For lighting, heating, and power for the Capitol, Senate and House Office Buildings, Supreme Court Building, Congressional Library Buildings, and the grounds about the same, Botanic Garden, legislative garage, and folding and storage rooms of the Senate, and for air-conditioning refrigeration not supplied from plants in any of such buildings; for heating the Government Printing Office and Washington City Post Office and for light and power therefor whenever available; personal and other services, engineering instruments, fuel, oil, materials, labor, advertising, and purchase of waterproof wearing apparel in connection with the maintenance and operation of the plant, \$1,056,650.

36 Stat. 531.

Reimbursement for heat, etc.

The appropriations under the control of the Architect of the Capitol may be expended without reference to section 4 of the Act approved June 17, 1910 (41 U. S. C. 7), concerning purchases for executive departments.

The Government Printing Office and the Washington City Post Office shall reimburse the Capitol Power Plant for heat, light, and power whenever any such service is furnished during the fiscal year

1948, and the amounts so reimbursed shall be covered into the Treasury.

### LIBRARY BUILDING AND GROUNDS

#### MECHANICAL AND STRUCTURAL MAINTENANCE

Salaries: For chief engineer and all personal services at rates of pay provided by law, \$180,000.

Salaries, Sunday opening: For extra services of employees and additional employees under the Architect of the Capitol to provide for the opening of the Library Buildings on Sundays, at rates to be fixed by such Architect, \$14,700.

General repairs, and so forth: For necessary expenditures for the Library Buildings and Grounds under the jurisdiction of the Architect of the Capitol, including minor improvements, maintenance, repair, equipment, supplies, waterproof wearing apparel, material, and appurtenances, and personal and other services in connection with the mechanical and structural maintenance of such buildings and grounds, \$57,050.

For furniture, including partitions, screens, shelving, and electrical work pertaining thereto and repairs thereof, and the purchase of office and library equipment, apparatus, and labor-saving devices, \$20,000, to be expended under the direction of the Architect of the Capitol.

Furniture.

### BOTANIC GARDEN

Salaries: For personal services (including not exceeding \$3,000 for miscellaneous temporary labor without regard to the Classification Act of 1923, as amended), \$135,000; all under the direction of the Joint Committee on the Library.

42 Stat. 1488.  
5 U. S. C. § 661 *et seq.*

Maintenance, operation, repairs, and improvements: For all necessary expenses incident to maintaining, operating, repairing, and improving the Botanic Garden, and the nurseries, buildings, grounds, and equipment pertaining thereto, including procuring fertilizers, soils, tools, trees, shrubs, plants, and seeds; materials and miscellaneous supplies, including rubber boots and aprons, when required for use by employees in connection with their work; not to exceed \$25 for emergency medical supplies; disposition of waste; traveling expenses of the Director and his assistants, not to exceed \$250; street-car fares, not exceeding \$25; not to exceed \$45 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); office equipment and contingent expenses; the prevention and eradication of insect and other pests and plant diseases by purchase of materials, and procurement of personal services by contract without regard to the provisions of any other Act; repair, maintenance, operation, purchase, and exchange of motortrucks, and maintenance, repair, and operation of a passenger motor vehicle; purchase of botanical books, periodicals, and books of reference, not to exceed \$100; repairs and improvements to Director's residence; and all other necessary expenses; all under the direction of the Joint Committee on the Library, \$20,000.

58 Stat. 394.  
39 U. S. C. § 321d.

No part of the appropriations contained in this Act for the Botanic Garden shall be used for the distribution, by congressional allotment, of trees, plants, shrubs, or other nursery stock.

Distribution of nursery stock.

### LIBRARY OF CONGRESS

Salaries, Library, proper: For the Librarian, the Librarian Emeritus, Chief Assistant Librarian, and other personal services, including investigations of Library employees with regard to loyalty and including special and temporary services and extra special services of



Gross salary augmented by honorarium.

regular employees (not exceeding \$5,000) at rates to be fixed by Librarian, \$2,350,000, of which so much as may be necessary may be transferred to other agencies of the Government for the purpose of investigating the loyalty of Library employees: *Provided*, That hereafter the gross salary of any position in the Library which is augmented by payment of an honorarium from other than appropriated funds shall not exceed such rate as, combined with such honorarium, will not exceed \$10,000.

#### COPYRIGHT OFFICE

Salaries: For the Register of Copyrights, assistant register; and other personal services, \$591,925.

#### LEGISLATIVE REFERENCE SERVICE

Digests of Public General Bills.

Salaries: To enable the Librarian of Congress to employ competent persons to gather, classify, and make available, in translations, indexes, digests, compilations, and bulletins, and otherwise, data for or bearing upon legislation, and to render such data serviceable to Congress, and committees and Members thereof, and for printing and binding the digests of public general bills, miscellaneous printing, supplies and materials, and including not to exceed \$20,000 for employees engaged on piecework and work by the day or hour at rates to be fixed by the Librarian, \$450,000: *Provided*, That not more than \$25,000 of this sum shall be used for preparation and reproduction of copies of the Digest of General Public Bills.

#### DISTRIBUTION OF PRINTED CARDS

Salaries and expenses: For the distribution of printed cards and other publications of the Library, including personal services, freight charges (not exceeding \$500), expressage, postage, traveling expenses connected with such distribution, expenses of attendance at meetings when incurred on the written authority and direction of the Librarian, and including not to exceed \$30,000 for employees engaged in piece work and work by the day or hour and for extra special services of regular employees at rates to be fixed by the Librarian; in all, \$350,000.

#### INDEX TO STATE LEGISLATION

44 Stat. 1066.

Salaries and expenses: To enable the Librarian of Congress to prepare an index to the legislation of the several States, together with a supplemental digest of the more important legislation, as authorized and directed by the Act entitled "An Act providing for the preparation of a biennial index to State legislation", approved February 10, 1927 (2 U. S. C. 164, 165), including personal and other services within and without the District of Columbia, including not to exceed \$2,500 for special and temporary services at rates to be fixed by the Librarian, travel, necessary material and apparatus, and for printing and binding the indexes and digests of State legislation for official distribution only, and other printing and binding incident to the work of compilation, stationery, and incidentals, \$50,000, to continue available during the fiscal year 1949.

#### UNION CATALOGUES

Salaries and expenses: To continue the development and maintenance of the Union Catalogues, including personal services within and without the District of Columbia (and not to exceed \$700 for special and temporary services, including extra special services of

regular employees, at rates to be fixed by the Librarian), travel, necessary material and apparatus, stationery, photostat supplies, and incidentals, \$61,000.

#### MOTION PICTURE PROJECT

For expenses during the month of July and liquidation (including storage of films pending disposition and \$5,030 available exclusively for terminal leave) \$12,000.

#### INCREASE OF THE LIBRARY OF CONGRESS

General increase of Library: For purchase of books, miscellaneous periodicals and newspapers, photo-copying supplies and photo-copying labor, and all other material for the increase of the Library, including payment in advance for subscription books and society publications, and for freight, commissions, and traveling expenses not to exceed \$25,000, including expenses of attendance at meetings when incurred on the written authority and direction of the Librarian in the interest of collections, and all other expenses incidental to the acquisition of books, miscellaneous periodicals and newspapers, and all other material for the increase of the Library, by purchase, gift, bequest, or exchange, \$300,000, to continue available during the fiscal year 1949.

Increase of the law library: For the purchase of books and for legal periodicals for the law library, including payment for legal society publications and for freight, commissions, traveling expenses not to exceed \$2,500, including expenses of attendance at meetings when incurred on the written authority and direction of the Librarian in the interest of collections, and all other expenses incidental to the acquisition of lawbooks, and all other material for the increase of the law library, \$95,000, to continue available during the fiscal year 1949.

Books for the Supreme Court: For the purchase of books and periodicals for the Supreme Court, to be a part of the Library of Congress, and purchased by the Marshal of the Supreme Court, under the direction of the Chief Justice, \$20,000.

#### BOOKS FOR ADULT BLIND

To enable the Librarian of Congress to carry out the provisions of the Act entitled "An Act to provide books for the adult blind", approved March 3, 1931 (2 U. S. C. 135a), as amended, \$1,000,000, including not exceeding \$50,000 for personal services, not exceeding \$200,000 for books in raised characters, and the balance remaining for sound-reproduction records and for the purchase, maintenance, and replacement of the Government-owned reproducers for sound-reproduction records for the blind and not exceeding \$1,000 for necessary traveling expenses connected with such service and for expenses of attendance at meetings when incurred on the written authority and direction of the Librarian.

46 Stat. 1487.

#### PRINTING AND BINDING

General printing and binding: For miscellaneous printing and binding for the Library of Congress, including the Copyright Office, and the binding, rebinding, and repairing of Library books, and for the Library Buildings, \$381,500.

Printing the Catalogue of Title Entries of the Copyright Office: For the publication of the Catalogue of Title Entries of the Copyright

Office and the decisions of the United States courts involving copyrights, \$35,000.

Printing catalogue cards: For the printing of catalogue cards and of miscellaneous publications relating to the distribution of catalogue cards, and for duplication of catalogue cards by methods other than printing, \$400,000.

#### CONTINGENT EXPENSES OF THE LIBRARY

For miscellaneous and contingent expenses, stationery, office supplies, stock and materials directly purchased, miscellaneous traveling expenses, postage, transportation, incidental expenses connected with the administration of the Library and Copyright Office, including not exceeding \$500 for expenses of attendance at meetings when incurred on the written authority and direction of the Librarian, \$40,000.

Photoduplicating.

For personal services, paper, chemicals, and miscellaneous supplies necessary for the operation of the photoduplicating machines of the Library and the making of photoduplicate prints, and for the purchase of photoduplications, \$20,700.

58 Stat. 394.  
39 U. S. C. § 321d.

Penalty Mail Costs, Library of Congress: For deposit in the general fund of the Treasury for cost of penalty mail for the Library of Congress as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$29,000.

#### LIBRARY BUILDINGS

42 Stat. 1488.  
5 U. S. C. § 661 *et seq.*

Salaries: For the superintendent and other personal services, in accordance with the Classification Act of 1923, as amended, including special and temporary services and special services of regular employees in connection with the custody, care, and maintenance of the Library Buildings in the discretion of the Librarian (not exceeding \$750) at rates to be fixed by the Librarian, \$495,000.

Incidental expenses.

For mail, delivery, including maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, telephone services, rubber boots, rubber coats, and other special clothing for employees, uniforms for guards, and elevator conductors, medical supplies, equipment, and contingent expenses for the emergency room, stationery, miscellaneous supplies, and all other incidental expenses in connection with the custody and maintenance of the Library Buildings, \$30,000.

#### LIBRARY OF CONGRESS TRUST FUND BOARD

For any expense of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, \$500.

Citizenship requirements, exemptions.

*Post*, p. 608.

Not to exceed ten positions in the Library of Congress may be exempt from the provisions of section 202 of the Independent Offices Appropriation Act, 1948, but the Librarian shall not make any appointment to any such position until he has ascertained that he cannot secure for such appointment a person in any of the three categories specified in such section 202 who possesses the special qualifications for the particular position and also otherwise meets the general requirements for employment in the Library of Congress.

#### GOVERNMENT PRINTING OFFICE

##### WORKING CAPITAL AND CONGRESSIONAL PRINTING AND BINDING

To provide the Public Printer with a working capital for the following purposes for the execution of printing, binding, lithographing, mapping, engraving, and other authorized work of the

Government Printing Office for the various branches of the Government: For salaries of Public Printer and Deputy Public Printer; for salaries, compensation, or wages of all necessary officers and employees additional to those herein appropriated for, including employees necessary to handle waste paper and condemned material for sale; to enable the Public Printer to comply with the provisions of law granting holidays and half holidays and Executive orders granting holidays and half holidays with pay to employees; to enable the Public Printer to comply with the provisions of law granting leave to employees with pay, such pay to be at the rate for their regular positions at the time the leave is granted; rental of buildings and equipment; fuel, gas, heat, electric current, gas and electric fixtures; bicycles, motor-propelled vehicles for the carriage of printing and printing supplies, and the maintenance, repair, and operation of the same, to be used only for official purposes, including operation, repair, and maintenance of motor-propelled passenger-carrying vehicles for official use of the officers of the Government Printing Office when in writing ordered by the Public Printer; freight, expressage, telegraph and telephone service, furniture, typewriters, and carpets; traveling expenses, including not to exceed \$3,000 for attendance at meetings or conventions when authorized by the Joint Committee on Printing; stationery, postage, and advertising; directories, technical books, newspapers, magazines, and books of reference (not exceeding \$750); adding and numbering machines, time stamps, and other machines of similar character; purchase of uniforms for guards; rubber boots, coats, and gloves; machinery (not exceeding \$300,000); equipment, and for repairs to machinery, implements, and buildings, and for minor alterations to buildings; necessary equipment, maintenance, and supplies for the emergency room for the use of all employees in the Government Printing Office who may be taken suddenly ill or receive injury while on duty; other necessary contingent and miscellaneous items authorized by the Public Printer; for expenses authorized in writing by the Joint Committee on Printing for the inspection of printing and binding equipment, material, and supplies and Government printing plants in the District of Columbia or elsewhere (not exceeding \$1,000); for salaries and expenses of preparing the semimonthly and session indexes of the Congressional Record under the direction of the Joint Committee on Printing (chief indexer at \$4,951, one cataloger at \$4,537, two catalogers at \$3,544 each, and one cataloger at \$3,047); and for all the necessary labor, paper, materials, and equipment needed in the prosecution and delivery and mailing of the work; in all, \$14,520,000; to which sum shall be charged the printing and binding authorized to be done for Congress including supplemental and deficiency estimates of appropriations; the printing, binding, and distribution of the Federal Register in accordance with the Act approved July 26, 1935 (44 U. S. C. 301, 317) (not exceeding \$450,000); for the printing and binding of the supplements to the Code of Federal Regulations, as authorized by the Act of July 26, 1935 (44 U. S. C. 311), \$100,000; the printing and binding for use of the Government Printing Office; the printing and binding (not exceeding \$5,000) for official use of the Architect of the Capitol upon requisition of the Secretary of the Senate; in all to an amount not exceeding \$4,520,000: *Provided*, That not less than \$10,000,000 of such working capital shall be returned to the Treasury as an unexpended balance not later than six months after the close of the fiscal year 1948: *Provided further*, That notwithstanding the provisions of section 73 of the Act of January 12, 1895 (44 U. S. C. 241), no part of the foregoing sum of \$4,520,000 shall be used for printing and binding part 2 of the annual

Salaries, etc.

Leave with pay.

Machinery.

Congressional Record indexes.

Federal Register.  
49 Stat. 500.  
44 U. S. C. §§ 301-314.  
*Post*, p. 453.  
Supplements to C.F.R.  
49 Stat. 503.  
44 U. S. C. § 311a.  
*Post*, p. 453.

Unexpended balance.

Year-book of Agriculture.

28 Stat. 612.

report of the Secretary of Agriculture (known as the Year-book of Agriculture).

Printing and binding for Congress chargeable to the foregoing appropriation, when recommended to be done by the Committee on Printing of either House, shall be so recommended in a report containing an approximate estimate of the cost thereof, together with a statement from the Public Printer of estimated approximate cost of work previously ordered by Congress within the fiscal year for which this appropriation is made.

Payment for work ordered by departments, etc.

Adjustments.

Credit of payments to working capital.

Employees detailed for service in executive branch.

During the fiscal year 1948 any executive department or independent establishment of the Government ordering printing and binding or blank paper and supplies from the Government Printing Office shall pay promptly by check to the Public Printer upon his written request, either in advance or upon completion of the work, all or part of the estimated or actual cost thereof, as the case may be, and bills rendered by the Public Printer in accordance herewith shall not be subject to audit or certification in advance of payment: *Provided*, That proper adjustments on the basis of the actual cost of delivered work paid for in advance shall be made monthly or quarterly and as may be agreed upon by the Public Printer and the department or establishment concerned. All sums paid to the Public Printer for work that he is authorized by law to do; all sums received from sales of wastepaper, other waste material, and condemned property; and for losses or damage to Government property; shall be deposited to the credit, on the books of the Treasury Department, of the appropriation made for the working capital of the Government Printing Office and be subject to requisition by the Public Printer.

No part of any money appropriated in this Act shall be paid to any person employed in the Government Printing Office while detailed for or performing service in the executive branch of the public service of the United States unless such detail be authorized by law.

#### OFFICE OF SUPERINTENDENT OF DOCUMENTS

42 Stat. 1488.  
5 U. S. C. § 661 *et seq.*

43 Stat. 658.  
44 U. S. C. § 40.

**Salaries:** For the Superintendent of Documents, assistant superintendent and other personal services in accordance with the Classification Act of 1923, as amended, and compensation of employees who shall be subject to the provisions of the Act entitled "An Act to regulate and fix rates of pay for employees and officers of the Government Printing Office", approved June 7, 1924 (44 U. S. C.), \$1,321,500.

Books for depository libraries.

**General expenses:** For furniture and fixtures, typewriters, carpets, labor-saving machines and accessories, time stamps, adding and numbering machines, awnings, curtains, books of reference; directories, books, miscellaneous office and desk supplies, paper, twine, glue, envelopes, postage, carfares, soap, towels, disinfectant, and ice; drayage, express, freight, telephone, and telegraph service; traveling expenses (not to exceed \$200); repairs to buildings, elevators, and machinery; rental of equipment; preserving sanitary condition of building; light, heat, and power; stationery and office printing, including blanks, price lists, bibliographies, catalogs, and indexes; for supplying books to depository libraries; in all, \$370,000: *Provided*, That no part of this sum shall be used to supply to depository libraries any documents, books, or other printed matter not requested by such libraries, and the requests therefor shall be subject to approval by the Superintendent of Documents.

## PENALTY MAIL, GOVERNMENT PRINTING OFFICE

For deposit in the general fund of the Treasury for cost of penalty mail of the Government Printing Office as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$400,000.

SEC. 102. Purchases may be made from the foregoing appropriations under the "Government Printing Office", as provided for in the Printing Act approved January 12, 1895, and without reference to section 4 of the Act approved June 17, 1910 (41 U. S. C. 7), concerning purchases for executive departments.

SEC. 103. In order to keep the expenditures for printing and binding for the fiscal year 1948 within or under the appropriations for such fiscal year, the heads of the various executive departments and independent establishments are authorized to discontinue the printing of annual or special reports under their respective jurisdictions: *Provided*, That where the printing of such reports is discontinued the original copy thereof shall be kept on file in the offices of the heads of the respective departments or independent establishments for public inspection.

SEC. 104. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles.

SEC. 105. Whenever any office or position not specifically established by the Legislative Pay Act of 1929 is appropriated for herein or whenever the rate of compensation or designation of any position appropriated for herein is different from that specifically established for such position by such Act, the rate of compensation and the designation of the position, or either, appropriated for or provided herein, shall be the permanent law with respect thereto: *Provided*, That the provisions relating to positions and salaries thereof carried in House Resolutions 628, 691, and 693 (Seventy-ninth Congress) and House Resolutions 42, 54, 74, 78, 96, 113, and 183 (Eightieth Congress) shall be the permanent law with respect thereto.

SEC. 106. No part of any appropriation contained in this Act shall be paid as compensation to any person appointed after June 30, 1935, as an officer or member of the Capitol Police who does not meet the standards to be prescribed for such appointees by the Capitol Police Board: *Provided*, That the Capitol Police Board is hereby authorized to detail police from the House Office, Senate Office, and Capitol Buildings for police duty on the Capitol Grounds.

SEC. 107. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the

58 Stat. 394.  
39 U. S. C. § 321d.

28 Stat. 601.  
44 U. S. C. § 1 *et seq.*  
36 Stat. 531.

Annual, etc., reports.

Original copies.

Private vehicles.

Rate of compensation and designation of positions.  
46 Stat. 32.  
2 U. S. C. § 60a.

Capitol Police.  
Standards required.

Details for duty on Capitol Grounds.

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

Affidavit.

Penalty.

Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Short title.

SEC. 108. This Act may be cited as the "Legislative Branch Appropriation Act, 1948".

Approved July 17, 1947.

[CHAPTER 263]

AN ACT

To reorganize the system of parole of prisoners convicted in the District of Columbia.

July 17, 1947  
[H. R. 494]  
[Public Law 198]

Board of Parole,  
D. C.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That a Board of Parole for the penal and correctional institutions of the District of Columbia is hereby created to consist of three members appointed by the Commissioners of the District of Columbia, one of whom shall serve on a full-time basis and be designated by the Commissioners as Parole Executive. The other two members shall serve without compensation, one of whom shall be elected Chairman of the said Board. The Board of Parole shall select its own Chairman and shall have power to establish rules and regulations for its procedure.

Rules and regula-  
tions.

Transfer of powers,  
records, etc.

*Infra; post*, p. 379.

Duties of parole  
executive.

SEC. 2. Upon appointment of the members of the Board of Parole, the powers of the Board of Indeterminate Sentence and Parole created by the Act of July 15, 1932 (ch. 492, 47 Stat. 696, title 24, D. C. Code, sec. 201), not specifically repealed by this Act, shall be transferred to and vested in the Board of Parole. The officers and employees of the Board of Indeterminate Sentence and Parole, except the members thereof, together with all official records, furniture and supplies, and all unexpended balances of any appropriations, shall be transferred to the Board of Parole. It shall be the duty of the parole executive to prepare for the consideration of the Board of Parole all applications of prisoners for parole in such form and at such times and together with such information and records as the Board of Parole may require, to perform such administrative duties as the Board may prescribe, and to supervise prisoners on parole in accordance with the terms and conditions prescribed by the Board. The Department of Corrections, and all other agencies and officials of the District shall cooperate with the Board and shall furnish the Board with such information, files, and records as it may deem necessary in the performance of its duties: *Provided*, That confidential information and records shall not be required to be produced.

Cooperation of other  
agencies, etc.

Confidential rec-  
ords, etc.

SEC. 3. Section 4 of the Act of July 15, 1932 (ch. 492, 47 Stat. 697; title 24, D. C. Code, sec. 204), as amended by the Act of June 6, 1940 (ch. 254, 54 Stat. 242), is amended as follows:

Parole of prisoner.

"SEC. 4. Whenever it shall appear to the Board of Parole that there is a reasonable probability that a prisoner will live and remain at liberty without violating the law, that his release is not incompatible with the welfare of society, and that he has served the minimum sentence imposed or the prescribed portion of his sentence, as the case may be, the Board may authorize his release on parole upon such terms and conditions as the Board shall from time to time prescribe. While on parole, a prisoner shall remain in the legal custody and under

Custody, etc.

the control of the Attorney General of the United States or his authorized representative until the expiration of the maximum of the term or terms specified in his sentence without regard to good time allowance."

SEC. 4. When by reason of his training and response to the rehabilitation program of the Department of Corrections it appears to the Board that there is a reasonable probability that a prisoner will live and remain at liberty without violating the law, and that his immediate release is not incompatible with the welfare of society, but he has not served his minimum sentence, the Board in its discretion may apply to the court imposing sentence for a reduction of his minimum sentence. The court shall have jurisdiction to act upon the application at any time prior to the expiration of the minimum sentence and no hearing shall be required.

Application for reduction of minimum sentence.

Jurisdiction of court.

SEC. 5. Section 6 of the Act of July 15, 1932 (ch. 492, 47 Stat. 698; title 24, D. C. Code, sec. 206), as amended by the Act of June 6, 1940 (ch. 254, 54 Stat. 242), is amended as follows:

"SEC. 6. When a prisoner has been retaken upon a warrant issued by the Board of Parole, he shall be given an opportunity to appear before the Board, a member thereof, or an examiner designated by the Board. At such hearing he may be represented by counsel. The Board may then, or at any time in its discretion, terminate the parole or modify the terms and conditions thereof. If the order of parole shall be revoked, the prisoner, unless subsequently reparaoled, shall serve the remainder of the sentence originally imposed less any commutation for good conduct which may be earned by him after his return to custody. For the purpose of computing commutation for good conduct, the remainder of the sentence originally imposed shall be considered as a new sentence. The time a prisoner was on parole shall not be taken into account to diminish the time for which he was sentenced.

Opportunity for hearing by retaken prisoner.

Termination of parole, etc.

"In the event a prisoner is confined in, or as a parolee is returned to a penal or correctional institution other than a penal or correctional institution of the District of Columbia, the Board of Parole created by the Act of May 13, 1930 (ch. 255, 46 Stat. 272; 18 U. S. C. 723a), shall have and exercise the same power and authority as the Board of Parole of the District of Columbia had the prisoner been confined in or returned to a penal or correctional institution of the District of Columbia."

Confinement to penal institution other than D. C. institution.

SEC. 6. Section 9 of the Act of July 15, 1932 (ch. 492, 47 Stat. 698; title 24, D. C. Code, sec. 208), as amended by the Act of June 6, 1940 (ch. 254, 54 Stat. 242), is amended as follows:

"SEC. 9. The power of the Board of Parole shall extend to all prisoners whose sentences exceed one hundred and eighty days regardless of the nature of the offense: *Provided*, That in the case of a prisoner convicted of an offense other than a felony, including violations of municipal regulations and ordinances and Acts of Congress in the nature of municipal regulations and ordinances, the prisoner may not be paroled until he has served one-third of the sentence imposed, and in the case of two or more sentences for other than a felony, no parole may be granted until after the prisoner has served one-third of the aggregate sentences imposed."

Powers of Board.

SEC. 7. Section 1 of the Act of July 15, 1932 (ch. 492, 47 Stat. 696; title 24, D. C. Code, sec. 201), and section 2 of the said Act as amended by the Act of June 6, 1940 (ch. 254, 54 Stat. 242; title 24, D. C. Code, sec. 202), are hereby repealed.

Repeals.

Approved July 17, 1947.



## [CHAPTER 264]

## AN ACT

July 18, 1947

[S. 564]

[Public Law 199]

To provide for the performance of the duties of the office of President in case of the removal, resignation, death, or inability both of the President and Vice President.

Presidential succession.  
Speaker of House of Representatives.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) (1) if, by reason of death, resignation, removal from office, inability, or failure to qualify, there is neither a President nor Vice President to discharge the powers and duties of the office of President, then the Speaker of the House of Representatives shall, upon his resignation as Speaker and as Representative in Congress, act as President.

(2) The same rule shall apply in the case of the death, resignation, removal from office, or inability of an individual acting as President under this subsection.

President pro tempore of Senate.

(b) If, at the time when under subsection (a) a Speaker is to begin the discharge of the powers and duties of the office of President, there is no Speaker, or the Speaker fails to qualify as Acting President, then the President pro tempore of the Senate shall, upon his resignation as President pro tempore and as Senator, act as President.

Tenure.

(c) An individual acting as President under subsection (a) or subsection (b) shall continue to act until the expiration of the then current Presidential term, except that—

(1) if his discharge of the powers and duties of the office is founded in whole or in part on the failure of both the President-elect and the Vice-President-elect to qualify, then he shall act only until a President or Vice President qualifies; and

(2) if his discharge of the powers and duties of the office is founded in whole or in part on the inability of the President or Vice President, then he shall act only until the removal of the disability of one of such individuals.

Succession by Cabinet officer.  
Post, p. 509.

(d) (1) If, by reason of death, resignation, removal from office, inability, or failure to qualify, there is no President pro tempore to act as President under subsection (b), then the officer of the United States who is highest on the following list, and who is not under disability to discharge the powers and duties of the office of President shall act as President: Secretary of State, Secretary of the Treasury, Secretary of War, Attorney General, Postmaster General, Secretary of the Navy, Secretary of the Interior, Secretary of Agriculture, Secretary of Commerce, Secretary of Labor.

Tenure of Cabinet officer.

(2) An individual acting as President under this subsection shall continue so to do until the expiration of the then current Presidential term, but not after a qualified and prior-entitled individual is able to act, except that the removal of the disability of an individual higher on the list contained in paragraph (1) or the ability to qualify on the part of an individual higher on such list shall not terminate his service.

Oath of office.

(3) The taking of the oath of office by an individual specified in the list in paragraph (1) shall be held to constitute his resignation from the office by virtue of the holding of which he qualifies to act as President.

Applicability of designated subsections.

(e) Subsections (a), (b), and (d) shall apply only to such officers as are eligible to the office of President under the Constitution. Subsection (d) shall apply only to officers appointed, by and with the advice and consent of the Senate, prior to the time of the death, resignation, removal from office, inability, or failure to qualify, of the President pro tempore, and only to officers not under impeachment by the House of Representatives at the time the powers and duties of the office of President devolve upon them.

(f) During the period that any individual acts as President under this Act, his compensation shall be at the rate then provided by law in the case of the President.

(g) Sections 1 and 2 of the Act entitled "An Act to provide for the performance of the duties of the office of President in case of the removal, death, resignation, or inability both of the President and Vice President", approved January 19, 1886 (24 Stat. 1; U. S. C., 1940 edition, title 3, secs. 21 and 22), are repealed.

Approved July 18, 1947.

Compensation.

Repeals.

#### [CHAPTER 265]

##### AN ACT

To enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue sewer bonds.

July 18, 1947  
[S. 1419]

[Public Law 200]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Legislature of the Territory of Hawaii, any provision of the Hawaiian Organic Act or of any Act of this Congress to the contrary notwithstanding, may authorize the city and county of Honolulu, a municipal corporation of the Territory of Hawaii, to issue general-obligation bonds in the sum of \$5,000,000 for the purpose of enabling it to construct a sewerage system in the city of Honolulu.

Hawaii.  
Issuance of bonds.

31 Stat. 141.  
48 U. S. C. § 493  
note.

SEC. 2. The bonds issued under authority of this Act may be either term or serial bonds, maturing, in the case of term bonds, not later than thirty years from the date of issue thereof, and, in the case of serial bonds, payable in substantially equal annual installments, the first installment to mature not later than five years and the last installment to mature not later than thirty years from the date of such issue. Such bonds may be issued without the approval of the President of the United States.

Maturity.

SEC. 3. Act 69 of the Session Laws of Hawaii, 1947, pertaining to the issuance of sewerage-system bonds, as authorized by this Act, is hereby ratified and confirmed subject to the provisions of this Act: *Provided, however,* That nothing herein contained shall be deemed to prohibit the amendment of such Territorial legislation by the Legislature of the Territory of Hawaii from time to time to provide for changes in the improvements authorized by such legislation and for the disposition of unexpended moneys realized from the sale of said bonds.

Ratification of Act.

Amendment.

Approved July 18, 1947.

#### [CHAPTER 267]

##### AN ACT

To authorize the official reporters of the municipal court for the District of Columbia to collect fees for transcripts, and for other purposes.

July 18, 1947  
[S. 1462]

[Public Law 201]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in addition to their annual salaries, official reporters for the municipal court for the District of Columbia are authorized to charge and collect from parties, including the United States and the District of Columbia, who request transcripts of the original records of proceedings, such fees therefor, and no other, as may be prescribed from time to time by the court. All supplies shall be furnished by the official reporters at their own expense. The court shall have the power and is hereby directed to prescribe such rules, practice, and procedure pertaining to fees for transcripts as it may deem necessary, and the same shall conform as nearly as may be practicable to the rules, practice, and procedure pertaining to fees for

Reporters for municipal court, D. C.  
Fees for transcripts.

Transcripts for judges, etc.

Prepayment.

transcripts established for the District Court of the United States for the District of Columbia. No fee shall be charged or taxed for any copy of a transcript delivered to a judge at his request or for any copies of a transcript delivered to the clerk of the court for the records of the court. Except as to transcripts that are to be paid for by the United States or the District of Columbia, the reporters may require any party requesting a transcript to prepay the estimated fee therefor in advance of delivery of the transcript.

Approved July 18, 1947.

#### [CHAPTER 268]

#### AN ACT

Making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1948, and for other purposes.

July 18, 1947  
[H. R. 3493]  
[Public Law 202]

Navy Department Appropriation Act, 1948.

*Ante*, pp. 118, 187, 188, 245, 361; *post*, pp. 608, 609, 700.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Navy Department and the naval service for the fiscal year ending June 30, 1948, namely:

### NAVAL ESTABLISHMENT

#### OFFICE OF THE SECRETARY

##### MISCELLANEOUS EXPENSES

Physical examination of civilian employees.

60 Stat. 853.  
5 U. S. C. § 415c.

Living quarters.

46 Stat. 818.

60 Stat. 858.  
5 U. S. C. § 421f.

Interned persons and prisoners of war.

41 Stat. 132.  
58 Stat. 723.  
46 U. S. C. §§ 791-799.  
60 Stat. 842.  
28 U. S. C. § 921 note.  
59 Stat. 662.  
31 U. S. C. §§ 215-217 notes, 222e-222g, 223d.  
56 Stat. 175.  
*Ante*, p. 209.

For traveling expenses of civilian employees, including travel of dependents of employees to and from navy yards or stations outside the continental limits of the United States; physical examinations by civilian physicians of civilian employees in accordance with section 2 of the Act of August 2, 1946 (Public Law 604); expenses of courts and boards; expenses of prisoners and prisons; newspapers and periodicals for the naval service; all advertising of the Navy Department and its bureaus (except advertising for recruits for the Bureau of Naval Personnel); costs of suits; maintenance of attachés and others abroad, including office rental and pay of employees, and allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (5 U. S. C. 118a), and regulations prescribed thereunder, special cost of living allowances for employees abroad, collection and classification of information pertaining to Naval Intelligence; expenses authorized by section 38 of the Act of August 2, 1946 (Public Law 604), for Latin-American cooperation; telephone, telegraph, and teletype rental and tolls (including not to exceed \$300 for extension telephones between the telephone switchboards at the official stations of naval officials and the living quarters of such officials), telegrams, radiograms, and cablegrams for the Navy Department and the naval service; postage, foreign and domestic and post-office box rentals; microphotographic services; necessary expenses for interned persons and prisoners of war under the jurisdiction of the Navy Department, including funeral expenses for such interned persons or prisoners of war as may die while under such jurisdiction; payment of claims for damages as provided in the Act approved July 11, 1919 (34 U. S. C. 600), the Act approved July 3, 1944 (46 U. S. C. 797), and the Act of August 2, 1946 (Public Law 601), and payment of claims of civilian employees of the Naval Establishment as provided in the Act of December 28, 1945 (Public Law 277), which are not eligible for payment under the provisions of the Act approved March 27, 1942 (15 U. S. C. 606b-2); and other necessary and inci-

dental expenses; \$14,500,000, of which \$200,000 is for claims determined and settled pursuant to the Federal Tort Claims Act.

60 Stat. 842.  
28 U. S. C. § 921  
note.  
Post, p. 722.

#### CONTINGENCIES OF THE NAVY

For all emergencies and extraordinary expenses, authorized by section 6 of the Act of August 2, 1946 (Public Law 604), to be expended on the approval and authority of the Secretary, and his determination shall be final and conclusive upon the accounting officers of the Government, and for examination of estimates for appropriations and of naval activities in the field for any branch of the naval service, \$9,000,000.

60 Stat. 853.  
5 U. S. C. § 419c.

#### RESEARCH, NAVY

For expenses, not otherwise provided for, necessary in carrying out the Act of August 1, 1946 (Public Law 588), establishing the Office of Naval Research, \$34,000,000: *Provided*, That not to exceed \$1,500,000 may be available for administrative expenses, exclusive of the Naval Research Laboratory, and the Special Devices Center.

60 Stat. 779.  
5 U. S. C. §§ 475-475f.

#### OPERATION AND CONSERVATION OF NAVAL PETROLEUM RESERVES

To enable the Secretary to carry out the provisions contained in the Act approved June 4, 1920, as amended (34 U. S. C. 524), requiring him to explore, prospect, conserve, develop, use and operate the naval petroleum reserves, \$100,000: *Provided*, That out of any sums appropriated for naval purposes by this Act, any portion thereof, not to exceed \$5,000,000, shall be available to enable the Secretary to protect Naval Petroleum Reserve Numbered 1, by drilling wells and performing any work incident thereto: *Provided further*, That no part of the sum made available in the foregoing provision for the protection of Naval Petroleum Reserve Numbered 1 shall be expended if satisfactory agreement or agreements can be made with owners of land within or adjoining said Reserve Numbered 1 not to drill wells for the purpose of producing oil or gas.

41 Stat. 813.

Agreements with  
landowners.

#### OCEAN AND LAKE SURVEYS, NAVY

For hydrographic surveys, including pay of hydrographic surveyors, cartographic draftsmen, and recorders, and for purchase of nautical books, charts, and sailing directions, \$140,000.

#### ISLAND GOVERNMENTS

Expenses incident to the administration of island governments, including liberated and occupied areas; \$3,000,000.

### BUREAU OF NAVAL PERSONNEL

#### TRAINING, EDUCATION, AND WELFARE, NAVY

Naval War College: For maintenance, operation, and other necessary expenses of the Naval War College; services of a professor of international law, \$3,000; services of lecturers, \$4,000; library expenses, including purchase, binding, and repair of books and periodicals and subscriptions to newspapers and periodicals; \$235,000.

Naval training stations: For maintenance, operation, and other necessary expenses, including repairs, improvements, and care of grounds of the naval training stations which follow:

San Diego, California, \$1,500,000.

Newport, Rhode Island, \$1,100,000.

Great Lakes, Illinois, \$2,400,000.

**Fleet training:** For trophies and badges for excellence in gunnery, target practice, communication, engineering exercises, and economy in fuel consumption, to be awarded under such rules as the Secretary may formulate; recording, classifying, compiling, and publishing the rules and results; establishment and maintenance of shooting galleries, target houses, targets, and ranges; hiring established ranges; entrance fees in matches for the rifle team, and special equipment therefor; \$65,000;

**Instruction:** For expenses necessary for the postgraduate instruction of officers in other than civil government and literature, including such amounts as may be necessary to carry out the provisions of the Act approved January 16, 1936 (34 U. S. C. 1073), and special instruction and education, including rental, maintenance, and operation of property for instruction purposes, and individual training of officers and enlisted personnel at home and abroad, including maintenance of students abroad, except aviation and submarine training otherwise appropriated for, \$7,200,000;

**Libraries:** For libraries and expenses incident thereto, including professional books, textbooks, and religious books for ships and shore stations not otherwise appropriated for, \$350,000;

**Welfare and recreation:** For welfare and recreation of the Navy, including periodicals and newspaper subscriptions, to be expended in the discretion of the Secretary, \$2,000,000;

**Officer candidate training:** For all expenses incident to the conduct of officer candidate training, as authorized by the Act of August 13, 1946 (Public Law 729), and of the Naval Reserve Officers' Training Corps under such regulations as the President may prescribe under the provisions of section 22 of the Act approved March 4, 1925, as amended (34 U. S. C. 821), \$15,000,000;

In all, training, education, and welfare, Navy, \$29,850,000.

#### MISCELLANEOUS EXPENSES, BUREAU OF NAVAL PERSONNEL

For all miscellaneous expenses, including pay of employees in the field service; commissions, warrants, diplomas, discharges, good-conduct badges, medals, and identification tags, \$400,000.

#### NAVAL RESERVE

For all expenses not otherwise provided for, authorized by the Naval Reserve Act of 1938, as amended (34 U. S. C. 852), and the Naval Aviation Cadet Act of 1942, as amended (34 U. S. C. 850a), in connection with organizing, administering, recruiting, instructing, training, and drilling the Naval Reserve, including designing, purchasing, and engraving of medals and trophies; medical supplies and equipment; rental, maintenance, and operation of such shore stations as may be required in connection with Naval Reserve Activities, \$100,000,000.

#### NAVAL ACADEMY

**Naval Academy:** For expenses necessary for maintenance and operation of the Naval Academy; such amounts as may be necessary to carry out the provisions of the Act of January 16, 1936 (34 U. S. C. 1073); expenses of the Board of Visitors to the Naval Academy, \$4,500,000, of which amount \$2,000 shall be available exclusively for the care of a collection of ship models: *Provided*, That no part of any appropriation in this Act shall be available for the pay or allowances of any enlisted man of the Navy or Marine Corps assigned to duty at the Naval Academy, if such assignment will increase the total number so assigned above one thousand and twenty-five.

49 Stat. 1092.  
34 U. S. C. §§ 1073-1073e.

60 Stat. 1057.  
34 U. S. C. § 1020  
*et seq.*  
*Ante*, pp. 99, 100.  
43 Stat. 1276.

52 Stat. 1175; 56 Stat. 737.  
34 U. S. C. §§ 853j, 850a note.  
*Ante*, pp. 50, 90; *post*, p. 424.

49 Stat. 1092.  
34 U. S. C. §§ 1073-1073e.

## NAVAL HOME, PHILADELPHIA, PENNSYLVANIA

For all salaries and expenses as authorized by law (31 U. S. C. 725h) and section 11 of the Act approved August 2, 1946 (Public Law 604), necessary for the maintenance and operation of the Naval Home, \$325,000.

48 Stat. 1229.  
60 Stat. 854.  
24 U. S. C. § 21a.

## BUREAU OF SHIPS

## MAINTENANCE, BUREAU OF SHIPS

*Post*, p. 700.

For designing hulls, machinery, and equipment of naval vessels, except armament; experimental, developmental, and research work; maintenance, repair, renewal, and alteration of hulls, machinery, and equipment of naval vessels, nonnaval vessels operated for naval requirements, and yard and district craft except machinery and equipment under the cognizance of other bureaus; docking of vessels; leasing of laying-up facilities and docks; maritime salvage services and other purposes in connection therewith authorized by law; relief of vessels in distress; hire of lighters, tugs, and small craft; charter and hire of vessels for auxiliary purposes where considered necessary by the Secretary of the Navy; pay, subsistence, and incidental expenses of civilian crews temporarily employed on naval vessels; equipage, appliances, supplies, materials, and services, at home and abroad, under the cognizance of the Bureau of Ships; searchlights and fire-control equipment for antiaircraft defense at shore stations; maintenance and operation of the Naval Communication Service (including teletype), the experimental model basin, Carderock, Maryland, and the engineering experiment station, Annapolis, Maryland, including maintenance and equipment of buildings and grounds and appurtenances; purchase, installation, repair, and preservation of machine tools, plant appliances, and equipment (including furniture in industrial activities) in naval establishments or private plants; pay of employees in the field service; accident prevention; incidental expenses for naval vessels, naval shipyards and stations, and other activities under the cognizance of the Bureau of Ships, such as photographing, plans, stationery, drafting instruments and other materials; and technical books and publications for said Bureau: *Provided*, That no part of this or any other appropriation contained in this Act shall be available for or on account of the supply or replacement of table linen, dishes, glassware, silver, and kitchen utensils for use in the residences or quarters of officers on shore, except for messes temporarily set up on shore for bachelor officers and officers attached to seagoing or district defense vessels, to aviation units based on seagoing vessels, to the fleet air bases, to the submarine bases, or to landing forces and expeditions, \$320,000,000. In addition to the foregoing amount, the Secretary of the Navy is hereby authorized to transfer to this appropriation, at such time during the fiscal year 1948 as he may deem advisable, not to exceed \$50,000,000 from the Naval Stock Fund and/or the Clothing and Small Stores Fund.

Antiaircraft defense  
at shore stations.

Machine tools, plant  
appliances, etc.

Tableware, etc., in  
officers' quarters.

Transfer of funds.

## BUREAU OF ORDNANCE

## ORDNANCE AND ORDNANCE STORES, NAVY

For necessary expenses of developing and for research incidental thereto, procuring, producing, preserving, and handling ordnance supplies, material, and equipment for naval purposes; for essential equipment, facilities, machine tools, replacements, and services at naval or private establishments to expedite the production of ordnance material; maintenance, operation, and other necessary expenses of naval

Expediting produc-  
tion.

60 Stat. 854.  
5 U. S. C. § 421d.

ordnance shore activities; technical books and periodicals; maintenance, repair, and operation of motor-propelled and other freight and passenger-carrying vehicles at such activities; target practice; and for contribution to the support of schools as authorized by section 13 of the Act of August 2, 1946 (Public Law 604); \$184,000,000.

## BUREAU OF SUPPLIES AND ACCOUNTS

### PAY AND SUBSISTENCE OF NAVAL PERSONNEL

For pay, allowances, subsistence and quarters prescribed by law for naval personnel, including reserves on active duty—

Personal property  
losses, reimbursement.  
59 Stat. 662.  
31 U. S. C. §§ 215-217  
notes, 222e-222g, 223d.

41 Stat. 132.

42 Stat. 24.

55 Stat. 880.

Enlisted men or  
civil employees as  
household servants.

Pay and allowances: Officers, active duty, no part of which shall be available for increased pay for making aerial flights, by more than eighty-five officers above the rank of captain nor by nonflying officers or observers at rates in excess of those prescribed by law for the Army, which shall be the legal maximum rates as to such nonflying officers or observers; midshipmen; officers, retired, inactive; enlisted personnel, active, including cash prizes for men for excellence in gunnery, target practice, communication, and engineering competition; enlisted men, retired, inactive; men of the Fleet Reserve, inactive; nurses, female, active; nurses, female, retired, inactive; six months' death gratuity, officers, nurses, and enlisted personnel; cash allowances for uniforms for officers; clothing furnished annually to enlisted personnel and issued in kind to members of the Navy Nurse Corps or cash in lieu thereof; civilian clothing, including an overcoat when necessary, the cost of all not to exceed \$30 per person to enlisted personnel given discharges for bad conduct, undesirability, unsuitability, or inaptitude; reimbursement as authorized by the Act of December 28, 1945 (Public Law 277), to persons in the naval service, for personal property lost, destroyed, or damaged; purchase of medals, crosses, bars, emblems, and other insignia; miscellaneous items, including interest on deposits by enlisted personnel; losses in the accounts of Navy and Marine Corps officers certified under the Act of July 11, 1919 (31 U. S. C. 105), and the Act of June 10, 1921 (31 U. S. C. 104), and payments in settlement of claims under the Act of January 2, 1942 (31 U. S. C. 224d); commuted rations; money allowances for subsistence and quarters of enlisted personnel when not furnished quarters or subsistence in kind, and for enlisted personnel absent from messes on temporary duty not involving travel (during which time all other subsistence shall be stopped): *Provided*, That, except in the case of those who have specifically enlisted for such duty, no appropriation contained in this Act shall be available for the pay, allowances, or other expenses of any enlisted man or civil employee performing service in the residence or quarters of an officer or officers on shore as a cook, waiter, or other work of a character performed by a household servant, but nothing herein shall be construed as preventing the voluntary employment in any such capacity of a retired enlisted man or a transferred member of the Fleet Reserve without additional expense to the Government, nor the sale of meals to officers by general messes on shore as regulated by detailed instructions from the Navy Department; total, pay and allowances, \$1,214,296,000.

Subsistence: For provisions for messes, subsistence in messes, and other subsistence in kind as authorized by law; \$52,796,000.

Total.

In all, for pay and subsistence of naval personnel, \$1,267,092,000, and the money herein specifically appropriated for "Pay and subsistence, Navy", shall be disbursed and accounted for in accordance with existing law and shall constitute one fund.

In addition to the foregoing amount, the Secretary of the Navy is hereby authorized to transfer to the subsistence subhead of this appropriation, at such time during the fiscal year 1948 as he may deem advisable, not to exceed \$50,000,000 from the Clothing and Small Stores Fund and/or the Naval Stock Fund.

Transfer of funds.

#### TRANSPORTATION AND RECRUITING OF NAVAL PERSONNEL

For mileage and actual and necessary expenses and per diem in lieu of subsistence as authorized by law to officers, nurses, and midshipmen while traveling under orders, and the cost of a compartment or such other accommodations as may be authorized by the Secretary for security when secret documents are transferred by officer messenger or when valuable naval property is transported as hand baggage by personnel of the Naval Establishment, transportation of enlisted personnel and applicants for enlistment at home and abroad, transportation of prisoners, and insane supernumerary patients to hospitals, all with subsistence and transfers en route or cash in lieu thereof; expenses of funeral escorts of naval personnel and apprehension and delivery of deserters and stragglers, and for railway, steamship, and airway guides and expenses incident to transportation; transportation of dependents of officers and enlisted personnel, including those of retired and Reserve officers, and of retired and Reserve enlisted personnel of grades entitled to transportation of dependents in the Regular Navy when ordered to active duty (other than training) and upon release therefrom; for actual expenses of officers and midshipmen while on shore-patrol duty, including the hire of automobiles when necessary for the use of the shore-patrol detachment; for all necessary expenses for recruiting for the naval service, including lodging and subsistence of applicants, rent of rendezvous and expenses of maintaining the same, and advertising for and obtaining men; and personal services of field employees necessary for the purposes of this appropriation; \$35,000,000.

Secret documents.

Transportation of dependents.

#### MAINTENANCE, BUREAU OF SUPPLIES AND ACCOUNTS

For equipage, supplies, and services under the cognizance of the Bureau of Supplies and Accounts, including scientific investigations, commissions, interest, and exchange; ferriage and bridge tolls, including streetcar fares; rent of buildings and offices not in navy yards for naval purposes, not otherwise provided for; services of civilian employees under the cognizance of the Bureau of Supplies and Accounts; packing, unpacking, and local handling, as authorized by law, of household goods and effects of civilian and naval personnel of the Naval Establishment; ice and mechanical devices for cooling drinking water on shore (except at naval hospitals and shops at industrial navy yards), \$150,000,000. In addition to the foregoing amount, the Secretary of the Navy is hereby authorized to transfer to this appropriation, at such time during the fiscal year 1948 as he may deem advisable, not to exceed \$50,000,000 from the Naval Stock Fund and/or the Clothing and Small Stores Fund.

Transfer of funds.

#### TRANSPORTATION OF THINGS

For transportation of things (as defined by Budget-Treasury Regulation Numbered 1) pertaining to the Navy (excluding Marine Corps and Coast Guard), \$50,000,000.



## FUEL, NAVY

For fuel, water, and other utilities for submarine bases and naval vessels, including expenses of storage and handling; removal of fuel refuse from ships and maintenance and general operation of fleet fueling facilities; \$54,000,000.

## BUREAU OF MEDICINE AND SURGERY

## MEDICAL DEPARTMENT

For equipment, supplies, maintenance, and operation of Medical Department activities ashore and afloat, and compensation of employees; tolls and ferriage; necessary instruction of personnel, including equipment; issuance of medical bulletins and information; laundry supplies and services; care of the dead as authorized by law, including transportation; purchase of technical books and periodicals; optical supplies for naval personnel under regulations prescribed by the Secretary; and other necessary expenses, including care, maintenance and treatment of patients in naval and other hospitals, as provided by regulation; \$37,500,000.

## BUREAU OF YARDS AND DOCKS

## MAINTENANCE, BUREAU OF YARDS AND DOCKS

60 Stat. 854.  
5 U. S. C. § 421d.

42 U. S. C. §§ 1501-  
1505, 1521-1524.

Restriction.

For the pay of employees in the field service, materials, supplies, and facilities necessary for the operation and general maintenance of activities and properties under the cognizance of the Bureau of Yards and Docks; contribution to the support of schools as authorized by section 13 of the Act of August 2, 1946 (Public Law 604); \$128,650,000; for expenses of operation and maintenance of housing projects maintained and operated as such by the Navy Department and developed under the provisions of the Acts of June 28, 1940 (54 Stat. 676); September 9, 1940 (54 Stat. 872); October 14, 1940 (54 Stat. 1125); March 1, 1941 (55 Stat. 14); May 24, 1941 (55 Stat. 197); and December 17, 1941 (55 Stat. 810), including utilities, roads, walks, and accessories, and expenses found necessary in the disposition of any such property or the removal of temporary housing, \$3,800,000; in all, \$132,450,000: *Provided*, That none of these funds shall be used to pay for the maintenance or operation of any defense housing unit for any civilian employees of the Navy Department unless the rental rate charged for the civilian occupancy of any such defense housing unit shall be at the rate prescribed by law or in pursuance of law for housing of similar character and size in the general geographical area where such defense housing may be located.

## BUREAU OF AERONAUTICS

## AVIATION, NAVY

For new construction and procurement of aircraft and equipment, spare parts and accessories, including expansions of and facilities in public or private plants, and for the employment of group IVb personnel in the Bureau of Aeronautics necessary for the purposes of this item of appropriation, \$90,000,000; for replacement of navigational and radio equipment for aircraft in service, aerological, photographic, and miscellaneous equipment, including repairs thereto, \$18,000,000; for maintenance, repair, and operation of aircraft, aircraft factory, air stations, testing laboratories, fleet and all other aviation activities, technical books and periodicals for use in the Bureau of Aeronautics

and field, outfits for aviation messes, the purchase for aviation purposes only of special clothing, wearing apparel, and special equipment, and for contribution to the support of schools as authorized by section 13 of the Act of August 2, 1946 (Public Law 604), \$318,000,000; for continuing experiments, development, and research on all types of aircraft, \$75,000,000; in all, \$501,000,000, of which amount \$90,000,000 shall remain available until expended: *Provided*, That not to exceed \$100,000,000 of the funds appropriated for "Aviation, Navy," fiscal year 1945, shall continue available during the fiscal year 1948 for the liquidation of contractual obligations for aircraft and aircraft equipment procurement incurred during the fiscal year 1945: *Provided further*, That in addition to this appropriation the Secretary may, prior to July 1, 1948, contract for new construction, procurement and equipment of aircraft, including spare parts and accessories therefor, in an amount not in excess of \$248,000,000.

60 Stat. 854.  
5 U. S. C. § 421d.  
Experiments, etc.

Liquidation of contractual obligations.

New construction.

## MARINE CORPS

### PAY, MARINE CORPS

Pay of officers: For pay and allowances prescribed by law for all officers on active duty—pay and allowances, \$27,480,000 including \$3,174,000 for increased pay for making aerial flights, none of which shall be available for increased pay for making aerial flights by nonflying officers or observers at rates in excess of those prescribed by law for the Army, which shall be the legal maximum rates as to such nonflying officers or observers; subsistence allowance, \$3,625,000; rental allowance, \$5,303,000; in all, \$36,408,000;

Officers on active duty.

For pay of officers prescribed by law on the retired list, not on active duty, \$5,600,000;

Officers on retired list.

Pay of enlisted personnel: For pay and allowances of all enlisted personnel and musicians on active duty as prescribed by law; expenses of clerks of the Marine Corps traveling under orders; additional compensation for enlisted personnel of the Marine Corps qualified as experts, sharpshooters, marksmen, aircraft machine gunners, or regularly detailed as gun captains, gun pointers; interest on deposits by enlisted personnel; pay of enlisted personnel designated as Navy mail clerks and assistant Navy mail clerks both afloat and ashore; and for gratuities to enlisted personnel discharged not under honorable conditions—pay and allowances, \$127,500,000; allowance for lodging and subsistence, \$7,500,000; in all, \$135,000,000;

For pay and allowances prescribed by law of enlisted personnel on the retired list not on active duty, \$2,186,000;

Enlisted personnel on retired list.

For pay and allowances of personnel of the Marine Corps Reserve as prescribed by law, \$10,000,000;

Marine Corps Reserve.

For mileage, actual and necessary expenses, and per diem in lieu of subsistence as authorized by law to officers traveling under orders without troops, \$1,400,000;

Mileage, etc.

In all, \$190,594,000, and the money herein specifically appropriated for pay of the Marine Corps shall be disbursed and accounted for in accordance with existing law and shall constitute one fund.

### PAY OF CIVIL FORCE, MARINE CORPS

Pay of civil force: For personal services at the seat of government, as follows:

Offices of the Commandant of the Marine Corps and the Director of Personnel, Marine Corps, \$1,075,000.

Supply Department, United States Marine Corps, \$975,000; in all, \$2,050,000.

## GENERAL EXPENSES, MARINE CORPS

General expenses, Marine Corps: For all necessary expenses for the authorized work of the Marine Corps, other than as appropriated for under the headings of pay and salaries, as follows:

For provisions, subsistence, board, and lodging of enlisted personnel, recruits and recruiting parties, and applicants for enlistment; cash allowance for lodging and subsistence to enlisted personnel traveling on duty; ice, ice machines and their maintenance, \$25,000,000;

For clothing for enlisted personnel and for civilian clothing, including an overcoat when necessary, the cost of all not to exceed \$30 per person to enlisted personnel given discharges for bad conduct, undesirability, unsuitability, or inaptitude, \$16,000,000;

For fuel, heat, light, and power, including sales to officers, \$3,000,000;

For military supplies and equipment, including their purchase, repair, preservation, and handling; recreational, school, educational, library, musical, amusement, field sport and gymnasium supplies, equipment, services, and incidental expenses; purchase and marking of prizes for excellence in gunnery and rifle practice, good-conduct badges, medals, and buttons awarded to officers and enlisted personnel by the Government for conspicuous, gallant, and special service; rental and maintenance of target ranges and entrance fees for competitions, \$14,000,000;

For transportation of troops and applicants for enlistment, including cash in lieu of ferriage and transfers en route; for payment for transportation of general court-martial prisoners; toilet kits for issue to recruits upon their first enlistment and other incidental expenses of the recruiting service; and transportation for dependents of officers and enlisted personnel, \$8,500,000.

For repairs and improvements to barracks, quarters, and other public buildings at posts and stations; leasing and improvement of buildings at such places as the public exigencies require; and erection of temporary buildings upon approval of the Secretary at a total cost of not to exceed \$70,000 during the year; \$2,000,000;

For forage and stabling of public animals and the authorized number of officers' horses, \$30,000;

For miscellaneous supplies, material, equipment, personal and other services, and other incidental expenses for the Marine Corps not otherwise provided for; purchase and repair of furniture and fixtures; veterinary services, shoeing, and medicines for public animals and the authorized number of officers' horses; purchase of mounts and horse equipment for all officers below the grade of major required to be mounted; books, newspapers, and periodicals; printing and binding; packing and crating of officers' allowance of baggage; funeral expenses of officers, enlisted personnel, accepted applicants for enlistment, and retired officers on active duty, including transportation of their bodies, arms, and wearing apparel from the place of demise to their homes in the United States; construction, operation, and maintenance of laundries; and contribution to the support of schools at Marine Corps posts as authorized by section 13 of the Act of August 2, 1946 (Public Law 604), \$38,000,000.

Marine Corps Reserve: For clothing, subsistence, heat, light, transportation, and miscellaneous expenses, \$3,000,000.

In all, general expenses, \$109,530,000, to be accounted for as one fund.

## SHIPBUILDING

## CONSTRUCTION OF SHIPS

Construction of ships: For expenses, not otherwise provided for, necessary for the construction and procurement of hulls, machinery,

60 Stat. 854.  
5 U. S. C. § 421d.

and equipment of vessels authorized by law and hereafter approved in accordance therewith, including conversions and replacements, and tools and equipment for such construction in public and private plants, and group IVb personnel in the Bureau of Ships necessary for the purposes of this appropriation, \$9,700,000, to be transferred from the appropriation "Increase and replacement of naval vessels, construction and machinery", to be immediately available and to remain available until expended.

#### ORDNANCE FOR NEW CONSTRUCTION

Ordinance for new construction: For expenses, not otherwise provided for, necessary for the construction and procurement of armor, armament, and ammunition for vessels provided for in the appropriation "Construction of ships", including tools and equipment in public and private plants and group IVb personnel in the Bureau of Ordnance necessary for the purpose of this appropriation, for the production of armor, armament, and ammunition for said vessels, \$4,580,000, to be transferred from the appropriation "Increase and replacement of naval vessels, armor, armament, and ammunition", to be immediately available and to remain available until expended: *Provided*, That the limitation on the availability of the appropriation "Increase and replacement of naval vessels" for construction of new vessels shall not be applicable to this appropriation nor the appropriation "Construction of ships".

#### INCREASE AND REPLACEMENT OF NAVAL VESSELS

The balance remaining of appropriations under "Increase and replacement of naval vessels" shall not be available for beginning the construction of any new vessels during the fiscal year 1948.

### NAVY DEPARTMENT

#### SALARIES

For compensation for personal services at the seat of government, as follows:

Office of the Secretary of the Navy: Secretary of the Navy, Under Secretary of the Navy, Assistant Secretaries of the Navy, and other personal services, including Executive Officer, not to exceed \$7,000, \$3,946,300;

*Post, p. 507.*

Office of Naval Research, \$1,164,000;  
 General Board, \$18,600;  
 Naval examining and retiring boards, \$20,200;  
 Office of Naval Records and Library, \$57,000;  
 Office of Judge Advocate General, \$310,000;  
 Office of Chief of Naval Operations, \$1,435,000;  
 Board of Inspection and Survey, \$35,000;  
 Office of Director of Naval Communications, \$2,005,000;  
 Office of Naval Intelligence, \$980,000;  
 Bureau of Naval Personnel, \$3,226,000;  
 Hydrographic Office, \$1,890,000;  
 Naval Observatory, including \$2,500 for pay of computers on piece work, \$400,000;  
 Bureau of Ships, \$6,450,000;  
 Bureau of Ordnance, \$3,100,000;  
 Bureau of Supplies and Accounts, \$4,400,000;  
 Bureau of Medicine and Surgery, \$1,078,000;  
 Bureau of Yards and Docks, \$2,045,000;  
 Bureau of Aeronautics, \$2,400,000;  
 In all, salaries, Navy Department, \$34,960,100.

## CONTINGENT EXPENSES

Use of naval service  
appropriations.

For technical reference and lawbooks, periodicals, and photostating for Department library; purchase of photographs, maps, documents, and pictorial records of the Navy, photostating and other necessary incidental expenses in connection with the preparation for publication of the naval records of the war with the Central Powers of Europe; stationery, furniture, newspapers, plans, drawings, and drawing materials; purchase, maintenance, repair, and operation of motortrucks and other necessary expenses of the Navy Department and its various bureaus and offices; \$1,000,000: *Provided*, That it shall not be lawful to expend, unless otherwise specifically provided by law, for any of the offices or bureaus of the Navy Department in the District of Columbia, any sum out of appropriations made for the naval service for any of the purposes mentioned or authorized in this paragraph.

## PRINTING AND BINDING

For printing and binding for the Navy Department and the Naval Establishment executed at the Government Printing Office, \$2,750,000.

## CONTINGENT AND MISCELLANEOUS EXPENSES, HYDROGRAPHIC OFFICE

For all necessary expenses (except salaries) for the maintenance and operation of the Hydrographic Office at the seat of government and for all necessary salaries and expenses for the branch offices, including purchase and printing of nautical books, charts, and sailing directions; modernization, care, and repair of lithographic presses and machinery; pilot and aeronautical charts; \$975,000.

## CONTINGENT AND MISCELLANEOUS EXPENSES, NAVAL OBSERVATORY

For engravings, photographs, and fixtures for the library; apparatus and instruments, and repairs of the same; repairs to buildings (including quarters), fixtures, and fences; cleaning, repair, and upkeep of grounds and roads; furniture and furnishings for offices and quarters, gas, chemicals, paints, and stationery, including transmission of public documents through the Smithsonian exchange, foreign postage; plants, seeds, and fertilizers; materials needed for the maintenance and repair of boilers, engines, heating apparatus, electric lighting and power, and water supply; rental of tabulating and other mechanical equipment; and other necessary expenses, \$50,000.

## GENERAL PROVISIONS

Navy funds.  
Restriction on use.

SEC. 102. No part of any appropriation made for the Navy shall be expended for any of the purposes herein provided for on account of the Navy Department at the seat of government, including personal services of civilians, except as expressly authorized by law.

Time-measuring de-  
vices, restriction.

SEC. 103. No part of the appropriations made in this Act shall be available for contracts with any person, firm, or corporation to make or cause to be made with a stop watch or other time-measuring device a time study of any job of any employee; no part of the appropriations made in this Act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person or persons having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch or other time-measuring device a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this Act be available to pay any premiums or bonus or cash reward to any employee in addition to his

Cash rewards, etc.

regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant; and no moneys herein appropriated for the Naval Establishment or made available therefor shall be used or expended under contracts hereafter made for the repair, purchase, or acquirement, by or from any private contractor, of any naval vessel, machinery, article, or articles that at the time of the proposed repair, purchase, or acquirement can be repaired, manufactured, or produced in each or any of the Government naval shipyards or arsenals of the United States, when time and facilities permit, and when, in the judgment of the Secretary, such repair, purchase, acquirement, or production would not involve an appreciable increase in cost to the Government, except when the repair, purchase, or acquirement, by or from any private contractor, would, in the opinion of the Secretary, be advantageous to the national defense.

SEC. 104. No part of any appropriation contained in this Act shall be used directly or indirectly, except for temporary employment in case of emergency, for the payment of any civilian for services rendered by him on the Canal Zone while occupying a skilled, technical, clerical, administrative, executive, or supervisory position unless such person is a citizen of the United States of America or of the Republic of Panama: *Provided, however*, (1) That, notwithstanding the provision in the Act approved August 11, 1939 (53 Stat. 1409), limiting employment in the above-mentioned positions to citizens of the United States from and after the date of the approval of said Act, citizens of Panama may be employed in such positions; (2) that at no time shall the number of Panamanian citizens employed in the above-mentioned positions exceed the number of citizens of the United States so employed, if United States citizens are available in continental United States or on the Canal Zone; (3) that nothing in this Act shall prohibit the continued employment of any person who shall have rendered fifteen or more years of faithful and honorable service on the Canal Zone; (4) that in the selection of personnel for skilled, technical, administrative, clerical, supervisory, or executive positions, the controlling factors in filling these positions shall be efficiency, experience, training, and education; (5) that all citizens of Panama and the United States rendering skilled, technical, clerical, administrative, executive, or supervisory service on the Canal Zone under the terms of this Act (a) shall normally be employed not more than forty hours per week; (b) may receive as compensation equal rates of pay based upon rates paid for similar employment in continental United States plus 25 per centum; (6) this entire section shall apply only to persons employed in skilled, technical, clerical, administrative, executive, or supervisory positions on the Canal Zone directly or indirectly by any branch of the United States Government or by any corporation or company whose stock is owned wholly or in part by the United States Government: *Provided further*, That the President may suspend, from time to time in whole or in part, compliance with this section in time of war or national emergency if he should deem such course to be in the public interest: *Provided further*, That the President may, if he finds it necessary because of a shortage of housing, suspend, for the fiscal year 1948, the application of those portions of this section which require the employment of citizens of the Republic of Panama or of the United States in skilled, technical, clerical, administrative, executive, or supervisory positions.

SEC. 105. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates,

Work by private contractors, restriction.

Canal Zone. Citizenship requirement for civilian personnel.

Employment of Panamanian citizens. 48 U. S. C. § 1307 note.

Employees with 15 or more years of service.

Selection of personnel.

Hours of employment; pay rates.

Applicability of section.

Suspension of compliance in emergency, etc.

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

## Affidavit.

or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

## Penalty.

## Commissions on land purchase contracts.

SEC. 106. No part of any money appropriated herein or included under any contract authority herein granted shall be expended for the payment of any commission on any land purchase contract in excess of 2 per centum of the purchase price.

## Transportation of personnel.

SEC. 107. The appropriations for the Naval Establishment for the fiscal year 1948 shall be available for providing transportation of naval and civilian personnel between their domiciles and places of employment as authorized by law; a health service program authorized by Public Law 658, approved August 8, 1946; carrying out the provisions of Executive Order Numbered 9112 of March 26, 1942, Public Law 395, approved July 1, 1944, Public Law 119, approved July 2, 1945, Public Law 277, approved December 28, 1945 (except as otherwise specifically provided for), and Public Law 457, approved October 3, 1944; expenses authorized in Public Law 99, approved June 29, 1943; expenses including those heretofore incurred incident to the operation by the Navy of private plants taken over at the direction of the President, and the Secretary may designate any naval appropriation to be charged with such expenses, proper adjustments to be made on the basis of final costs between applicable appropriations; payment of rewards, as authorized by law, for information leading to the discovery of missing naval property or the recovery thereof.

## Missing or captured personnel.

SEC. 108. Appropriations in this Act shall be available for the pay of missing or captured civilian or naval personnel under the provisions of Public Law 490, approved March 7, 1942, as amended, and for that which accrued during prior years and was not paid, including accruals of pay authorized by law for retired and reserve officers, nurses, enlisted personnel, and family allowances.

60 Stat. 903.  
5 U. S. C. § 150.  
50 U. S. C. app.  
§ 611 note.  
58 Stat. 649; 59 Stat.  
315.  
41 U. S. C. §§ 101-  
125; 39 U. S. C. § 135  
and note.  
59 Stat. 662.  
31 U. S. C. §§ 215-217  
notes, 222e-222g, 223d.  
58 Stat. 765.  
50 U. S. C. app.  
§§ 1611-1646.  
Post, p. 678.  
57 Stat. 247.  
36 U. S. C. §§ 10, 11.

## Rewards.

60 Stat. 810.  
5 U. S. C. § 55a.

## Compensation to noncitizens.

SEC. 109. During the fiscal year 1948 the Secretary is authorized to procure intermittent services in accordance with section 15 of the Act of August 2, 1946 (Public Law 600), but at rates for individuals not in excess of \$50 per day.

SEC. 110. Provisions of law prohibiting the payment of compensation to any person not a citizen of the United States shall not apply to personnel under the Naval Establishment during the fiscal year ending June 30, 1948.

SEC. 111. The appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1948, shall be available for expenses in connection with the transfer to the United States of foreign vessels, including pay, subsistence, transportation, and repatriation of alien crews.

Transfer of foreign vessels, etc.

SEC. 112. None of the funds appropriated in this Act for the Navy Department and the naval service for the fiscal year ending June 30, 1948, other than funds for which reimbursement is made hereunder, shall be available for any expenses for care, upkeep, repair, handling, and assistance in the sale of any property, material, or equipment subsequent to the date of a declaration of surplus covering such property to a disposal agency, or, if procedures are prescribed whereby declarations of surplus are made at approximately the time of disposal or removal, subsequent to the date of notice by the owning agency to the disposal agency that property has been determined to be surplus and is subject to such procedures. With respect to all such expenses, disposal agencies shall provide reimbursement to the Navy Department, for credit to the appropriations from which such expenses would be normally paid and the Navy Department is authorized to apportion, obligate, and expend funds from the several appropriations involved in advance of the reimbursement thereto: *Provided*, That reimbursement shall not be made for pay and allowances and subsistence of naval and Marine Corps personnel within the numbers appropriated for: *Provided further*, That advance payments based on the estimated expenses of the Navy Department may be made by any disposal agency: *Provided further*, That in lieu of ascertaining the direct expenses and the applicable portion of the indirect expenses, the Navy Department and the disposal agencies may agree on any basis for determining such expenses as will equitably accomplish the purpose of this section.

Surplus property.

Advance payments by disposal agency.

SEC. 113. The transfer of funds as directed in this Act shall not operate to reduce the cash working capital of the Naval Stock Fund below \$50,000,000, nor that of the Clothing and Small Stores Fund below \$15,000,000.

Working capital of designated funds.

## TITLE II—REDUCTIONS IN APPROPRIATIONS

SEC. 201. Amounts made available to the Navy Department from appropriations are hereby reduced in the sums hereinafter set forth, such sums to be carried to the surplus fund and covered into the Treasury immediately upon the approval of this Act:

### NAVAL ESTABLISHMENT

Office of the Secretary: "Miscellaneous expenses, Navy, 1946", \$2,000,000.

59 Stat. 202.

Bureau of Naval Personnel:

"Instruction, Navy, 1946", \$325,000;

59 Stat. 204.

"Welfare and Recreation, Navy, 1946", \$1,250,000;

59 Stat. 204.

"Naval Reserve, 1946", \$12,000,000;

59 Stat. 204.

"Naval Reserve, 1947", \$12,000,000.

60 Stat. 484.

Bureau of Ships:

"Maintenance, Bureau of Ships, 1946", \$105,000,000;

59 Stat. 205.

"Maintenance, Bureau of Ships, 1947", \$20,000,000.

60 Stat. 485.

Bureau of Ordnance:

"Ordnance and Ordnance Stores, Navy, 1946", \$30,000,000;

59 Stat. 206.

"Ordnance and Ordnance Stores, Navy, 1947", \$7,000,000.

60 Stat. 485.



	<b>Bureau of Supplies and Accounts:</b>
<i>Ante</i> , p. 79.	“Pay and Subsistence of Naval Personnel, 1946”, \$50,000,000;
59 Stat. 208.	“Transportation and Recruiting of Naval Personnel, 1946”, \$10,000,000;
<i>Ante</i> , p. 79.	“Maintenance, Bureau of Supplies and Accounts, 1946”, \$6,000,000;
60 Stat. 488.	“Maintenance, Bureau of Supplies and Accounts, 1947”, \$10,000,000;
<i>Ante</i> , p. 79.	“Transportation of Things, Navy, 1946”, \$25,000,000;
59 Stat. 210.	“Fuel, Navy, 1946”, \$10,000,000.
<i>Ante</i> , p. 79.	<b>Bureau of Medicine and Surgery:</b> “Medical Department, Navy, 1946”, \$2,000,000.
	<b>Bureau of Yards and Docks:</b>
59 Stat. 211.	“Maintenance, Bureau of Yards and Docks, 1946”, \$3,000,000;
60 Stat. 489.	“Maintenance, Bureau of Yards and Docks, 1947”, \$3,000,000.
	<b>Bureau of Aeronautics:</b>
<i>Ante</i> , p. 79.	“Aviation, Navy, 1946”, \$65,000,000;
60 Stat. 491.	“Aviation, Navy 1947”, \$10,000,000.
<i>Ante</i> , p. 80.	<b>Marine Corps:</b> “General Expenses, Marine Corps, 1946”, \$20,000,000.
	In all, \$403,575,000.
Liability for over-obligation, etc.	No person shall be held liable for an overobligation of any above-listed appropriation when such overobligation occurs as a result of the approval of this Act. Such overobligations shall be reduced in such a manner and at such a rate as to assure no overexpenditure.
Short title.	SEC. 202. This Act may be cited as the “Navy Department Appropriation Act, 1948”.
	Approved July 18, 1947.

## [CHAPTER 270]

## JOINT RESOLUTION

July 18, 1947  
[S. J. Res. 129]  
[Public Law 203]

To provide for the appropriate commemoration of the one hundred and fiftieth anniversary of the establishment of the seat of the Federal Government in the District of Columbia.

Commemoration of establishment of seat of Federal Government in D. C.	<i>Resolved by the Senate and House of Representatives of the United States of America in Congress assembled</i> , That, to provide for the appropriate commemoration of the one hundred and fiftieth anniversary of the establishment of the seat of the Federal Government in the District of Columbia in the year 1800, there is hereby established a commission to be known as the National Capital Sesqui-Centennial Commission (hereinafter referred to as the “Commission”) and to be composed of fifteen Commissioners, as follows: The President of the United States, who shall be ex officio Chairman; the President pro tempore of the Senate and the Speaker of the House of Representatives, ex officio; three Senators to be appointed by the President pro tempore of the Senate and three Representatives to be appointed by the Speaker of the House of Representatives; three residents of the District of Columbia to be appointed by the President after receiving the recommendations of the Board of Commissioners of the District of Columbia; and three prominent citizens residents in the District of Columbia at large to be appointed by the President. The Commissioners, with the approval of the Chairman, shall select an Executive Vice Chairman from among their number.
Commissioners.	
Preparation of plans, etc.	SEC. 2. It shall be the duty of the Commission, after promulgating to the American people an address relative to the reason of its creation and of its purpose, to prepare a plan or plans and a program for the signaling the one hundred and fiftieth anniversary of the establishment of the seat of the Federal Government in the District of Columbia; to give due and proper consideration to any plan which may be

submitted to it; to take such steps as may be necessary in the coordination and correlation of plans prepared by State commissions or by bodies created under appointment by the governors of the respective States and Territories or by representative civic bodies; and, if the participation of other nations in the commemoration be deemed advisable, to communicate with the governments of such nations.

SEC. 3. When the Commission shall have approved of any plan of commemoration, then it shall submit such plan, insofar as it may relate to the fine arts, to the Commission of Fine Arts for its approval, and, insofar as it may relate to the plan of the National Capital and its history, to the National Capital Park and Planning Commission and the Board of Commissioners of the District of Columbia for their joint approval, and in accordance with statutory requirements.

Submission of plan  
for approval.

SEC. 4. The Commission, after selecting an Executive Vice Chairman from among its members, may employ a director and a secretary and such other assistants as may be needed to organize and perform the necessary technical and clerical work connected with the Commission's duties and may also engage the services of expert advisers without regard to civil-service laws and the Classification Act of 1923, as amended, and may fix their compensation within the amounts appropriated for such purposes.

Employment of per-  
sonnel.

SEC. 5. The Commissioners shall receive no compensation for their services, but shall be paid actual and necessary traveling, hotel, and other expenses incurred in the discharge of their duties, out of the amounts appropriated therefor.

Compensation.

SEC. 6. The Commission shall, on or before the 2d day of January 1948, make a report to the Congress, in order that further enabling legislation may be enacted.

Report to Congress.

SEC. 7. The Commission shall expire December 31, 1952.

Approved July 18, 1947.

#### [CHAPTER 271]

#### JOINT RESOLUTION

Authorizing the President to approve the trusteeship agreement for the Territory of the Pacific Islands.

July 18, 1947  
[H. J. Res. 233]  
[Public Law 204]

Whereas the United States submitted to the Security Council of the United Nations for its approval in accordance with article 83 of the Charter of the United Nations a proposed trusteeship agreement for the Pacific islands formerly mandated to Japan under which the United States would be prepared to administer those islands under trusteeship in accordance with the Charter of the United Nations; and

59 Stat. 1050.

59 Stat. 1031.

Whereas the Security Council on April 2, 1947, approved unanimously the trusteeship agreement with amendments acceptable to the United States; and

Whereas the said agreement, having been approved by the Security Council, will come into force upon approval by the Government of the United States after due constitutional process: Therefore be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President is hereby authorized to approve, on behalf of the United States, the trusteeship agreement between the United States of America and the Security Council of the United Nations for the former Japanese mandated islands (to be known as the Territory of the Pacific Islands) which was approved by the Security Council at the seat of the United Nations, Lake Success, Nassau County, New York, on April 2, 1947.

Trusteeship agree-  
ment for Territory of  
Pacific Islands.

Approved July 18, 1947.

## [CHAPTER 272]

## AN ACT

July 21, 1947  
[S. 924]  
[Public Law 205]

To credit active service in the military or naval forces of the United States in determining eligibility for and the amount of benefits from the policemen and firemen's relief fund, District of Columbia.

Policemen and fire-  
men's relief fund,  
D. C.  
Credit for service in  
armed forces.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in determining eligibility for and the amount of benefits from the policemen and firemen's relief fund, District of Columbia, each member of the Metropolitan Police Department of the District of Columbia, the United States Park Police force, the White House Police force, the Fire Department of the District of Columbia, and each member of the United States Secret Service who has actively performed duties other than clerical for ten years or more directly related to the protection of the President, who shall have left active employment in any such department, force, or service to perform active service in the military or naval forces of the United States, shall be credited with all periods of honorable active military or naval service performed on or after September 16, 1940, and prior to the termination of the war as declared by Presidential proclamation or concurrent resolution of the Congress.

Approved July 21, 1947.

## [CHAPTER 273]

## AN ACT

July 21, 1947  
[H. R. 2573]  
[Public Law 206]

To authorize the Director of the United States Geological Survey to produce and sell copies of aerial or other photographs and mosaics, and photographic or photostatic reproductions of records, on a reimbursement of appropriations basis.

Geological Survey.  
Sale of photographs,  
mosaics, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That so much of the Act approved March 4, 1909 (35 Stat. 945, 989; 43 U. S. C., sec. 45), reading "The Director of the Geological Survey shall hereafter furnish to any person, concern, or institution, in the interest of education and the dissemination of knowledge, that shall pay in advance the whole cost of material and services thereof, copies of any photographs or lantern slides in the possession of the United States Geological Survey; and the moneys received by the Director for the same shall be deposited in the United States Treasury" is hereby amended to read as follows: "The Director of the United States Geological Survey hereafter may produce and sell on a reimbursable basis to interested persons, concerns, and institutions, copies of aerial or other photographs and mosaics that have been obtained in connection with the authorized work of the United States Geological Survey and photographic or photostatic reproductions of records in the official custody of the Director at such prices (not less than the estimated cost of furnishing such copies or reproductions) as the Director, with the approval of the Secretary of the Interior, may determine, the money received from such sales to be deposited in the Treasury to the credit of the appropriation then current and chargeable for the cost of furnishing copies or reproductions as herein authorized."

Approved July 21, 1947.

## [CHAPTER 274]

## AN ACT

To authorize the Secretary of the Navy to convey to the city of Macon, Georgia, and Bibb County, Georgia, an easement for public road and utility purposes in certain Government-owned lands situated in Bibb County, Georgia, and for other purposes.

July 21, 1947  
[H. R. 3056]  
[Public Law 207]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy be, and he hereby is, authorized to convey to the city of Macon, Georgia, and Bibb County, Georgia, under such terms and conditions as he may deem in the Government's interest, a perpetual easement for public road and utility purposes, in, under, over, and across a fifty and one-half foot strip of land at the naval ordnance plant, Macon, Georgia, containing approximately ninety-one one-hundredths acre of land, metes and bounds description of which is on file in the Navy Department: *Provided*, That said grant shall be at no cost to the Government: *Provided further*, That such conveyance shall contain an express provision that neither the city of Macon, Georgia, nor Bibb County, Georgia, shall at any time build any residences or other customarily occupied buildings within one thousand feet of the present south boundary of the naval ordnance plant, Macon, Georgia: *And provided further*, That such conveyance shall contain an express provision that the said grantees shall not dispose of the property owned by them within such a distance without first giving the United States an opportunity to purchase the property, on such terms and conditions as may then be agreed upon by the parties.

Macon, Ga., and  
Bibb County, Ga.  
Conveyance.

Construction of  
buildings.

Disposal.

Approved July 21, 1947.

## [CHAPTER 275]

## AN ACT

To authorize the Secretary of the Navy to convey to the city of Long Beach, California, for street purposes an easement in certain lands within the Navy housing project at Long Beach, California.

July 21, 1947  
[H. R. 3252]  
[Public Law 208]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy be, and he hereby is, authorized to convey to the city of Long Beach, California, on such terms and conditions as he may deem proper, a perpetual easement for street and public-utility purposes, in, over, under, and across two strips of land within the boundaries of Navy housing project CAL-4904N at Long Beach, California, said strips being twenty feet in width and six hundred and three hundred and thirty feet in length, respectively, and being adjacent to the west side of Santa Fe Avenue in the city of Long Beach, the metes and bounds descriptions of which are on file in the Navy Department.

Long Beach, Calif.  
Conveyance.

SEC. 2. This grant shall be at no cost to the Government.

Approved July 21, 1947.

## [CHAPTER 276]

## AN ACT

To authorize the construction of a chapel at the Coast Guard Academy, and to authorize the acceptance of private contributions to assist in defraying the cost of construction thereof.

July 21, 1947  
[H. R. 3539]  
[Public Law 209]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Coast Guard is authorized to construct a suitable chapel for religious worship by any denomination, sect, or religion at the Coast Guard Academy in New London, Connecticut.

Coast Guard Acad-  
emy.  
Construction of  
chapel.

- Site. SEC. 2. The Coast Guard is authorized to acquire title to an appropriate site adjoining the present Coast Guard Academy reservation either by purchase, condemnation, gift or otherwise.
- Private contributions. SEC. 3. The Coast Guard is authorized to accept private contributions to assist in defraying the cost of construction of the chapel provided for herein. Such contributions shall be received and accounted for under such regulations as the Secretary of the Treasury may prescribe.
- Appropriations authorized. SEC. 4. There are authorized to be appropriated such sums as may be necessary to complete the purposes of this Act.
- Approved July 21, 1947.

## [CHAPTER 286]

## AN ACT

July 22, 1947  
[H. R. 3247]  
[Public Law 210]

To provide basic authority for the performance of certain functions and activities of the Coast and Geodetic Survey, and for other purposes.

Coast and Geodetic Survey.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Coast and Geodetic Survey is hereby authorized to provide, from appropriations now or hereafter made available to the Survey, for—

Transportation of personal and household effects.

(a) Transportation (including packing, unpacking, crating, and uncrating) of personal and household effects of commissioned officers who die on active duty to the official residence of record for such officers, or, upon application by their dependents, to such other locations as may be determined by the Director of the Coast and Geodetic Survey or by such person as he may designate.

Reimbursement.

(b) Reimbursement, under regulations prescribed by the Secretary, of commissioned officers for food, clothing, medicines, and other supplies furnished by them for the temporary relief of distressed persons in remote localities and to shipwrecked persons temporarily provided for by them.

Extra compensation.

SEC. 2. The Coast and Geodetic Survey is hereby authorized to pay extra compensation to members of crews of vessels when assigned duties as bombers or fathometer readers, and to employees of other Federal agencies while observing tides or currents or tending seismographs, at such rates as may be specified from time to time in the appropriation concerned.

Approved July 22, 1947.

## [CHAPTER 287]

## AN ACT

July 22, 1947  
[H. R. 1203]  
[Public Law 211]

To provide compensation to persons performing the duties of postmasters at post offices of the fourth class during annual and sick leave of the postmasters.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is authorized to be expended, from the appropriation for compensation to postmasters in the annual Post Office Department's appropriation Acts, compensation, at the rate provided by law for postmasters' compensation, to persons who perform the duties of the postmaster at post offices of the fourth class during the absence of the postmaster on sick or annual leave, or leave without pay.

Approved July 22, 1947.

## [CHAPTER 288]

## AN ACT

To authorize the Secretary of the Navy to convey to the Territory of Hawaii an easement for public highway and utility purposes in certain parcels of land in the district of Ewa, Territory of Hawaii.

July 22, 1947  
[H. R. 3053]  
[Public Law 212]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy be, and he is hereby, authorized to convey to the Territory of Hawaii a perpetual easement for public highway and utility purposes in, over, under, and across twenty-eight parcels of land, containing thirteen and eighty-eight one-thousandths acres of land, situated in the vicinity of Pearl Harbor Naval Shipyard in the district of Ewa, island of Oahu, Territory of Hawaii, the metes and bounds description of which are on file in the Navy Department.

Hawaii.  
Conveyance.

Approved July 22, 1947.

## [CHAPTER 289]

## AN ACT

To amend the Act approved December 28, 1945 (Public Law 271, Seventy-ninth Congress), entitled "An Act to expedite the admission to the United States of alien spouses and alien minor children of citizen members of the United States armed forces".

July 22, 1947  
[H. R. 3149]  
[Public Law 213]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act approved December 28, 1945 (Public Law 271, Seventy-ninth Congress, ch. 591, first session) (59 Stat. 659; 8 U. S. C. 232-236), is amended by adding a new section thereto, to be known as section 6, and to read as follows:

"SEC. 6. The alien spouse of an American citizen by a marriage occurring before thirty days after the enactment of this Act, shall not be considered as inadmissible because of race, if otherwise admissible under this Act."

Alien spouse of  
American citizen.

Approved July 22, 1947.

## [CHAPTER 290]

## AN ACT

To create an Academic Advisory Board for the United States Merchant Marine Academy.

July 22, 1947  
[H. R. 3672]  
[Public Law 214]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the United States Maritime Commission is authorized to appoint an Academic Advisory Board of the United States Merchant Marine Academy which shall consist of not to exceed seven persons of distinction in the field of education who shall serve without pay. The members of the Board shall visit the United States Merchant Marine Academy at least once during the academic year for the purpose of examining the course of instruction and advising the superintendent relative thereto. The expenses of the Board while engaged in these duties, including the expense of travel, shall be defrayed under Government travel regulations from any appropriation for the authorized work of the Maritime Commission.

Merchant Marine  
Academy.  
Academic Advisory  
Board.

Expenses.

Approved July 22, 1947.

## [CHAPTER 296]

## AN ACT

July 22, 1947  
[H. R. 1448]  
[Public Law 215]

To amend section 7 of an Act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes, approved July 1, 1902.

District of Columbia.  
Issuance, etc., of certain licenses.

32 Stat. 623; 47 Stat. 550.  
D. C. Code § 47-2302.

Operation of business in building containing living quarters, etc.

56 Stat. 1083.  
D. C. Code §§ 5-317 to 5-323.

47 Stat. 551.  
D. C. Code § 47-2304.

Payment of fee for each business, etc.

Validity of license.

Restriction.

47 Stat. 555.  
D. C. Code §§ 47-2328 to 47-2330.

Classification of buildings containing living quarters, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That paragraph numbered 2 of section 7 of the Act approved July 1, 1902, entitled "An Act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes", as amended by an Act approved July 1, 1932, is further amended to read as follows:

"PAR. 2. No license shall be issued to any person for the operation of a business in any building or part thereof containing living or lodging quarters of any description required to be licensed under authority of this Act, nor for any place of public assembly required to be licensed as hereinafter provided, nor for any other building or place mentioned in an Act entitled 'An Act to provide for means of egress for buildings in the District of Columbia, and for other purposes', approved December 24, 1942, required to be licensed as hereinafter provided or required to be licensed in any other Act of Congress, until the Director of Inspection, the Chief Engineer of the Fire Department, and any other official of the District of Columbia who shall be designated by the Commissioners of the District of Columbia, have certified in writing to the Commissioners of the District of Columbia or their designated agent that the applicant for license has, as to such building or place, complied with all laws enacted and regulations made and promulgated for the protection of life and property."

SEC. 2. Paragraph numbered 4 of said section of said Act, as amended, is further amended by inserting after the words "without the payment of a separate fee or tax for each" the words "and if a business is conducted in more than one building a separate license shall be required for the business in each building:", so that the paragraph as amended shall read:

"PAR. 4. When more than one business, trade, profession, or calling for which a license is prescribed in this section shall be carried on by the same person, the license fee or tax shall be paid for each such business, trade, profession, or calling, except where otherwise specifically provided in this section: *Provided*, That licenses issued under any of the provisions of this section shall be good only for the location designated thereon, except in the case of licenses issued under this section for businesses and callings which in their nature are carried on at large and not at a fixed place of business, and no license shall be issued for more than one place of business, profession, or calling, without the payment of a separate fee or tax for each, and if a business is conducted in more than one building a separate license shall be required for the business in each building: *Provided further*, That no person holding a license under the terms of this section shall willfully suffer or allow any other person chargeable with a separate license to operate under his license."

SEC. 3. Strike out paragraphs numbered 28, 29, and 30 of said section of said Act, as amended, and in lieu thereof add a new paragraph to be numbered 28 and to read as follows:

"PAR. 28. The Commissioners of the District of Columbia are authorized and empowered to classify, according to use, method of operation, and size, buildings containing living or lodging quarters of every description, to require licenses for the business operated in

each such building as in their judgment requires inspection, supervision or regulation by any municipal agency or agencies, and to fix a schedule of license fees therefor in such amount as, in their judgment, will be commensurate with the cost to the District of Columbia of such inspection, supervision or regulation: *Provided, however,* That no license shall be required for single-family or two-family dwellings, nor for a rooming house offering accommodations for no more than four roomers."

SEC. 4. This Act shall become effective sixty days after its passage and approval.

Approved July 22, 1947.

[CHAPTER 298]

AN ACT

To incorporate the AMVETS, American Veterans of World War II.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following persons, to wit: Jack W. Hardy, 7421 Beverly Boulevard, Los Angeles, California; Elmo Keel, 4085 Minnesota Avenue Northeast, Washington, District of Columbia; William Enters, suite 1509-1511, 11 South LaSalle Street, Chicago, Illinois; Doctor Gerald I. Cetrulo, 166 Bloomfield Avenue, Newark, New Jersey; Norman Clock, 125 South Fourth Street, Reading, Pennsylvania; Floyd Williams, C-2 704 North Monroe Street, Arlington, Virginia; Reverend Joseph T. O'Callaghan, United States Navy Department, Washington, District of Columbia; George R. Porter, 1730 South Adams Street, Fort Worth, Texas; Robert E. McLaughlin, 800 South Washington Street, Alexandria, Virginia; Ray Sawyer, Plymouth, New Hampshire; James C. Tate, 2 Wilton Road, Rural Free Delivery Numbered 5, Alexandria, Virginia; George E. Burke, 1126 Central Avenue, Saint Petersburg, Florida; A. Ronald Button, 6331 Hollywood Boulevard, Hollywood 28, California; Americus Lamberti, 515 West Seventh Street, Plainfield, New Jersey; Emory S. McNider, Coffeyville, Alabama; Allen Hansen, 815 East Broadway, Tucson, Arizona; Edward S. Shattuck, 1400 North Hobart Boulevard, Los Angeles, California; Elvon L. Howell, 652 Gilpin Street, Denver, Colorado; William N. Welsh, 21 Bristol Street, West Haven, Connecticut; Francis D. Odell, 18 Lawson Avenue, Claymont, Delaware; George Lewis, 125 State Capitol, Atlanta, Georgia; Lee Witaski, 1438 Thorndale Avenue, Chicago, Illinois; Doctor Clyde Iongstreth, Atlantic, Iowa; Harry N. Gillig, Junior, 612 Kansas Avenue, Topeka, Kansas; John H. Ostertag, 955 Charles Street, Louisville, Kentucky; Otto E. Passman, 114-120 Walnut Street, post-office drawer 1833, Monroe, Louisiana; Doctor G. E. Marrone, 610 Fairview Avenue, Frederick, Maryland; Howard J. McDonald, 4 College Street, Lewiston, Maine; Edward J. Beauchamp, 4 College Street, Lewiston, Maine; Albert J. Reynolds, Tremont Temple Building, Boston, Massachusetts; Neil Holland, 401 Charlevoix Building, 2033 Park Avenue, Detroit, Michigan; Monte M. Korn, 18041 Washburn, Detroit, Michigan; Raymond D. Vosburgh, 222½ West Lewis Street, Mankato, Minnesota; George R. Gess, box 47, Mount Olive, Mississippi; Henry W. Simpson, room 500, 119 North Seventh Street, Saint Louis, Missouri; R. C. Letcher, Billings Fire Department, Billings, Montana; Doctor A. D. Faier, 1102 Medical Arts Building, Omaha, Nebraska; Jay J. Strode, Wells, Nevada; N. L. Samaha, C-1, 1 Keeble Street, Plymouth, New Hampshire; William Hepp, 1918 Liberty Bank Building, Buffalo, New York; Huston W. Galyen,

Schedule of fees.

Dwellings, etc., not requiring license.

Effective date.

July 23, 1947

[H. R. 1888]

[Public Law 216]

AMVETS.  
Incorporation.



1121 Sixteenth Avenue North, Fargo, North Dakota; Carl Freudenberg, 1298 Michigan Avenue, Cincinnati, Ohio; Fred Milligan, attorney at law, Columbus, Ohio; Joseph D. Stafford, route 2, box 662, Oklahoma City, Oklahoma; Anthony R. McGrath, 609 Plaza Building, Pittsburgh, Pennsylvania; Harry M. DeWitt, Junior, 2316 Fortieth Street Northwest, Washington, District of Columbia; Robert W. Donald, post-office box 2, Easley, South Carolina; Dick Kelly, Shaw Insurance Company, Sioux Falls, South Dakota; Alex Bullocks, 1464 Washington Street, Memphis, Tennessee; Thomas J. Russell, Burlington, Vermont; John E. Fletcher, 806 North Eye Street, Tacoma, Washington; R. L. Stubbs, Professional Building, Fairmont, West Virginia; Walter L. Thompson, 1316 Lombard, Everett, Washington; Robert A. Garrett, 163 Eccles Building, Ogden, Utah; Searcy Johnson, 805 Mercantile Building, Dallas, Texas; Hampton C. Godbe, 116 P Street, Salt Lake City, Utah; Allen P. Solada, 311 Dauphin Building, Harrisburg, Pennsylvania; George Vukmanic, 221 Martin Avenue, Pittsburgh 16, Pennsylvania; Royce C. Granger, 102 East Eighteenth Street, Tulsa, Oklahoma; Charles E. Nassif, 1023 Thirteenth Street North, Fargo, North Dakota; Paul D. Higgins, 104½ Broadway, Fargo, North Dakota; Edmund P. Radwan, 906 Broadway, Buffalo, New York; Alexander J. Maturria, 234 Mount Prospect Avenue, Newark, New Jersey; J. F. Roche, Bond Building, 1015 Elm Street, Manchester, New Hampshire; Kenneth A. Van Vorst, 114 East Bonanza Road, Las Vegas, Nevada; Julian C. Harvey, 1731 Walnut Street, Kansas City, Missouri; John Wesley, box 482, Picayune, Mississippi; Claude C. Morgan, 810 Hammond Building, Detroit, Michigan; Edward A. Trudell, 26 Horan Way, Jamaica Plain, Massachusetts; Vincent C. Neeson, Labelle and Bellona, Ruxton, Baltimore 4, Maryland; R. L. Huot, 106 Elm Street, Biddeford, Maine; John E. Sutherland, Sutherland Sales Company, Industries Building, New Orleans, Louisiana; Thomas Wilkerson, 1600 Washington, Henderson, Kentucky; John C. Junkins, Cherokee, Kansas; Doctor C. W. Hoffman, 1340 Forty-first Street, Des Moines, Iowa; Allen W. Jenkins, 1015 Cherry Street, Evansville, Indiana; Edwin I. Bruder, 6837 Clyde Avenue, Chicago, Illinois; Harry P. Orcutt, Fort Benning, Georgia; Arthur Di Vincent, post-office box 4579, Miami 28, Florida; Maurice B. Marholin, 176 McClintock Road, New Britain, Connecticut; Harry Steinbery, First National Bank Building, El Dorado, Arkansas; Jess Curtiss, 807 North Third Street, Phoenix, Arizona; Edward S. Coston, 69 Ninth Street North, Birmingham, Alabama; Anthony O. Jones, 315 Security Building, Phoenix, Arizona; Frank Dee Scriven, 8474 West Third Street, Los Angeles 36, California; Allen C. Hessier, 1275 Clarkson Street, Number 4, Denver 3, Colorado; Michael Dzamki, 3912 First Street, East Chicago, Indiana; S. Howard Rudolph, Junior, Atlantic, Iowa; Fred K. Greer, 427 East Market Street, Princeton, Kentucky; Roy Morgan, Winnfield, Louisiana; James C. Wilt, 842 Columbia Avenue, Cumberland, Maryland; Chester Modzelewski, 67 Davenport Street, Chicopee, Massachusetts; Arthur Madar, 9166 Yorkshire, Detroit, Michigan; John J. Clark, 257 Harrison Street, Biloxi, Mississippi; William E. Blake, 73 Grey, Buffalo 12, New York; Albert Geremia, room 303, 17 Exchange Street, Providence, Rhode Island; Frank E. Richter, 3, 12-14 West Sixth Street, Evansville, Indiana; Frank J. Ross, 1020 East Pleasant, Milwaukee, Wisconsin; Conrad K. Strauss, 160 Holland Avenue, Cowesett, Rhode Island; Paul S. Limerick, 456 Catalina, Webster Groves, Missouri; Raymond O'Brien, 22 North Ryan Street, Buffalo, New York; Dallas P. Richeson, post-office box 2226, Phoenix, Arizona; Fred Nimz, route 6, box 815A, Phoenix, Arizona; Tom

Bulman, 243 East Fifteenth Street, Tucson, Arizona; Charles E. Brode, 15 North Lee Street, Cumberland, Maryland; Clyde B. Blanton, 2095 Seventh Avenue, North, Saint Petersburg, Florida; Floyd Cooper, 912 Polk Street, Amarillo, Texas; Paul Moody, 548 South Spring Street, Los Angeles, California; Oliver A. Farabee, Lexington, North Carolina; Thad Males, 329 West Valerio Street, Santa Barbara, California; and such persons who are members of the AMVETS (American Veterans of World War II) and their successors, are hereby created and declared to be a body corporate by the name AMVETS (American Veterans of World War II) and by such name shall be known and have perpetual succession of the powers, limitations, and restrictions herein contained.

SEC. 2. That a majority of the persons above named and other persons selected from among the membership of AMVETS (American Veterans of World War II), an unincorporated association as set forth in section 1 hereof, met in national convention in Chicago, Illinois, on October 12, 13, and 14, 1945, and then and there, by and through duly elected delegates representing one hundred and thirty-one posts throughout the United States adopted a national constitution, bylaws, and declaration of principles and duly elected national officers for said organization, all as set forth in the Congressional Record, proceedings and debates of the Seventy-ninth Congress, first session, on November 6 and 7, 1945.

SEC. 3. That the purposes of this corporation shall be as follows:

Purposes of corporation.

(1) To preserve for ourselves and our posterity the great and basic truths and enduring principles upon which this Nation was founded.

(2) To maintain a continuing interest in the welfare and rehabilitation of the disabled veterans of World War II and to establish facilities for the assistance of all veterans and to represent them in their claims before the Veterans' Administration and other organizations without charge.

(3) To dedicate ourselves to the service and best interests of the community, State, and Nation, to the end that our country shall be and remain forever a whole, strong, and free Nation.

(4) To aid and encourage the abolition of prejudice, ignorance, and disease. To encourage universal exercise of the voting franchise, to the end that there shall be elected and maintained in public office men and women who hold such office as a public trust administered in the best interests of all the people.

(5) To advocate the development and means by which all Americans may become enlightened and informed citizens and thus participate fully in the functions of our democracy.

(6) To encourage and support an international organization of all peace-loving nations, to the end that not again shall any nation be permitted to breach their national peace.

(7) To continue to serve the best interests of our Nation in peace as in war.

(8) To develop to the utmost the human, mental, spiritual, and economical resources of our Nation.

(9) To perpetuate and preserve the friendships and comradeship born on the battle front and nurtured in the common experience of service to our Nation during time of war.

(10) To honor the memory of those men and women who gave their lives that a free America and a free world might live by the creation of living memorials in the form of additional educational, cultural, and recreational facilities.

(11) To operate as a corporation not for profit and that no part of the income or assets shall inure to the benefit of any of its members, directors, or officers, nor be distributable thereto otherwise

Nonprofit operation.

than upon dissolution or final liquidation; and that such corporation is organized and shall be operated exclusively for charitable, educational, patriotic, and civic improvement purposes.

Powers of corporation.  
*Post*, p. 407.

SEC. 4. That the corporation hereby created shall have the following powers: To have perpetual succession with power to sue and be sued in any court of competent jurisdiction; take and hold by lease, gift, purchase, grant, devise, or bequest any property, real or personal, necessary for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State (A) governing the amount or kind of real and personal property which may be held by, or (B) otherwise limiting or controlling the ownership of real and personal property by, a corporation operating in such State; to ordain and establish bylaws and regulations not inconsistent with the laws of the United States of America or any State thereof, for the management of its property and the regulation of its affairs; to use in carrying out its purposes such seals, emblems, and badges as it may lawfully adopt; to establish State and regional organizations and local posts; to publish magazines, newspapers, or any other publications consistent with the purposes of the corporation and to do any and all such acts and things as may be necessary and proper to carry into effect the purposes of the corporation.

Propaganda.

SEC. 5. (1) No part of the activities of the corporation shall consist of carrying on propaganda.

Contributions to political parties, etc.

(2) The corporation and its officers and the members of its executive committee as such shall not contribute to or otherwise support or assist any political party or candidate for elective public office.

Current executive committee.

(3) The current executive committee consists of forty members, namely, Ray Sawyer, Plymouth, New Hampshire; Jack W. Hardy, Title Guaranty Building, Los Angeles, California; Albert J. Reynolds, 3117 Washington Street, Roxbury, Massachusetts; L. M. Hinshaw, box 558, Asheboro, North Carolina; J. M. Crespi, Sims Building, 12 Auburn Avenue Northeast, Atlanta, Georgia; Arthur J. Madar, 9166 Yorkshire, Detroit 24, Michigan; Kenneth A. Anderson, 7166 South Penn Street, Denver, Colorado; Anthony O. Jones, 315 Security Building, Phoenix, Arizona; Agnes Frazee, post-office box 751, Uniontown, Pennsylvania; Floyd Williams, C-2, 704 North Monroe Street, Arlington, Virginia; William Kipp, 1032 North Dearborn Street, Chicago, Illinois; John J. Carney, 308 Leader Building, Cleveland, Ohio; Doctor John S. Weir, 618 South Main Street, Fond du Lac, Wisconsin; Reverend Sam Hill Ray, Loyola University, New Orleans, Louisiana; Nathan Gordon, Little Rock, Arkansas; Thad Males, 329 West Valerio Street, Santa Barbara, California; Al Grossi, Farmington, Connecticut; Harry M. De Witt, Junior, 2316 Fortieth Street Northwest, Washington, District of Columbia; George E. Burke, 1126 Central Avenue, Saint Petersburg, Florida; Charles L. Crowley, 935 Oglethorpe Avenue, Atlanta, Georgia; L. Harlan Swisher, 306 Davidson Drive, Champaign, Illinois; Arthur Schnipper, 4334 Ivy Street, East Chicago, Indiana; Robert Buckmaster, 158 Woodstock Road, Waterloo, Iowa; William C. Moss, Bogalusa, Louisiana; Edward J. Beauchamp, 163 Lisbon Street, Lewiston, Maine; Thomas Burke, 222 South Street, Fitchburg, Massachusetts; Milton F. Cooney, 55 Naomi Street, Pontiac, Michigan; Paul Limerick, 456 Catalina, Webster Groves, Missouri; Louis W. Zaris, 331 Guarantee Trust Building, Atlantic City, New Jersey; William Hepp, 176 Lafayette Street, Buffalo, New York; J. C. Powell, box 830, Winston-Salem, North Carolina; E. L. Hallowell, 455 Forest Avenue, Dayton, Ohio; K. L. Shirk, 33 North Duke Street, Lancaster, Pennsylvania; Albert Geremia, 277 Webster Avenue, Providence, Rhode Island; Richard

H. Dewey, 251 Madison Avenue, Memphis, Tennessee; Ivan Stone, 2708 West Lamar, Houston, Texas; Doctor M. H. Seidner, 406 First Security Bank Building, Ogden, Utah; J. C. McCaughan, Junior, 1904 West Broad Street, Richmond, Virginia; John E. Howell, Junior, 1110½ Seventeenth Street, Parkersburg, West Virginia; and Kenneth Kunde, Quonset Park, Oshkosh, Wisconsin.

(4) The headquarters office and principal place of business of said corporation shall be located in Washington, District of Columbia, but the activities of said organization, as set out herein, shall not be confined to the District of Columbia, but shall be conducted throughout the various States, Territories, and possessions of the United States.

SEC. 6. Any American citizen shall be eligible for membership in the AMVETS (American Veterans of World War II) who was regularly enlisted, inducted, or commissioned, and who was accepted for, or was on, active duty in the Army, Navy, Marine Corps, or Coast Guard of the United States, or our allies, on or after September 16, 1940, and who served between this date and the date of cessation of hostilities, as established by the Government of the United States. Service with the armed forces must have been terminated by honorable discharge or honorable separation from the service: *Provided, however,* That persons otherwise eligible for membership who are on active duty or who must continue to serve after the cessation of hostilities are also eligible for membership.

SEC. 7. (1) Each member of the said corporation shall have the right to one vote in the conduct of official business at the post level. Each post shall have the right to elect delegates to national conventions of the corporation, which delegates shall each exercise one vote in the conduct of business of the respective convention to which he is elected.

(2) The executive committee of the said corporation shall consist of one member duly elected to represent each department, and, in addition, all elective officers shall be members of the executive committee, *ex officio*.

SEC. 8. The said corporation may and shall acquire all of the assets of the existing unincorporated association known as AMVETS (American Veterans of World War II) upon discharge or satisfactory provisions for the discharge of all its liabilities.

SEC. 9. In the event of a final dissolution or liquidation of such corporation, and after the discharge or satisfactory provisions for the discharge of all its liabilities, the remaining assets of the said corporation shall be transferred to the Veterans' Administration to be applied to the care and comfort of disabled veterans of World War II.

SEC. 10. The corporation shall have power to—

- (1) Have succession by its corporate name;
- (2) Choose such officers, representatives, and agents as are necessary to carry out the purposes of the corporation;
- (3) Contract and be contracted with;
- (4) Transfer and convey all real or personal property;
- (5) Borrow money for the purposes of the corporation, issue bonds therefor, and secure same by mortgage subject in every case to all applicable provisions of Federal or State laws.

SEC. 11. The corporation shall be liable for the acts of its officials, representatives, and agents when acting within the scope of their authority.

SEC. 12. The corporation shall maintain in the District of Columbia at all times a designated agent authorized to accept services of processes for such corporation; and notice to or service upon such agent, or mail to the business address of such agent, shall be deemed notice or service upon the corporation.

Headquarters office.

Eligibility for membership.

Persons on active duty.

Right to vote, etc.

Members of executive committee.

Acquisition of assets of existing association.

Dissolution or liquidation of corporation.

Powers of corporation.  
*Ante*, p. 406.

Liability.

Maintenance of agent in D. C.

Election of national officers.

SEC. 13. The following national officers of the said corporation shall be elected by the chosen delegates thereof in annual national conventions, each official delegate casting one vote, to wit: National commander and seven national vice commanders, one of whom shall be a woman; finance officer, adjutant, judge advocate, and provost marshal.

Records of account, etc.

SEC. 14. The corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its members, executive committee, and committees having any of the authority of the executive committee; and shall keep at its registered office or principal office a record giving the names and addresses of its members entitled to vote; and permit all books and records of the corporation to be inspected by any member or his agent or his attorney for any proper purpose at any reasonable time.

Inspection of books and records.

Shares of stock, etc.

SEC. 15. The corporation shall not have or issue shares of stock, nor declare or pay dividends.

Loans to officers.

SEC. 16. No loan shall be made by the corporation to its officers or directors, or any of them, and any directors of the corporation who vote for or assent to the making of a loan or advance to an officer or director of the corporation, and any officer or officers participating in the making of any such loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

Right to use name, etc.

SEC. 17. The corporation and its State, regional, and local subdivisions shall have the sole and exclusive right to have and use in carrying out its purposes the name AMVETS (American Veterans of World War II), and such seals, emblems, and badges as the corporation may lawfully adopt.

Notification of name, etc., of authorized agent.

SEC. 18. As a condition precedent to the exercise of any power or privilege herein granted or conferred AMVETS (American Veterans of World War II) shall serve notice on the secretary of state, in each State, of the name and address of an authorized agent in such State upon whom legal process or demands against this corporation may be served.

SEC. 19. Such provisions, privileges, and prerogatives as have been granted heretofore to other national veterans' organizations by virtue of their being incorporated by Congress are hereby granted and accrue to AMVETS (American Veterans of World War II).

SEC. 20. The right to repeal, alter, or amend this Act at any time is hereby expressly reserved.

Approved July 23, 1947.

#### [CHAPTER 299]

#### AN ACT

July 23, 1947

[H. R. 2167]

[Public Law 217]

To authorize the inclusion within the Angostura unit of the Missouri Basin project of certain lands owned by the United States.

Missouri Basin project.  
Angostura unit.

53 Stat. 1418.

40 U. S. C. §§ 401-414.

50 Stat. 525.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of Agriculture is authorized to add to and make a part of the Angostura unit of the Missouri Basin project, situated in Custer and Fall River Counties, South Dakota, and established pursuant to the provisions of the Act of August 11, 1939, as amended (16 U. S. C. (and Supp.) 590y-590z-11), any lands of the United States acquired under the provisions of the National Industrial Recovery Act, approved June 16, 1933 (48 Stat. 195), the Emergency Relief Appropriation Act, approved April 8, 1935 (49 Stat. 115), or title III of the Bankhead-Jones Farm-Tenant Act, approved July 22, 1937 (7 U. S. C. 1010-1013), within the Bad Lands-Fall River land utilization project, administered by the Secretary of Agriculture, which are found to

be suitable for such transfer. All lands so added to and made a part of the Angostura unit shall thereafter be subject to all laws applicable to agricultural lands acquired under the provisions of section 5 (a) of the Act of August 11, 1939, as amended (16 U. S. C. 590z-3 (a)); the costs incurred by the United States in acquiring such lands, as well as the costs incurred in the improvement thereof for irrigation purposes, shall be returned in the same manner as though such lands had been acquired under the provisions of said section 5 (a).

Approved July 23, 1947.

54 Stat. 1122.

# [CHAPTER 300]

## AN ACT

To provide secretaries for circuit and district judges.

July 23, 1947  
[H. R. 2746]  
[Public Law 218]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That each circuit judge and each district judge may appoint a secretary, and each senior circuit judge and each senior district judge in districts having five or more district judges may also appoint an assistant secretary, who shall, subject to appropriations to be made by the Congress, receive compensation to be fixed from time to time by the Director of the Administrative Office of the United States courts and shall be reimbursed for their actual traveling expenses and expenses incurred for subsistence, within the limitations prescribed by law, when necessarily absent from their designated posts of duty on official business.

Compensation; ex-  
penses.

SEC. 2. Within the meaning of this Act the District of Columbia shall be deemed to be both a circuit and a district, the United States Court of Appeals for the District of Columbia a circuit court of appeals, and the chief justice and associate justices of that court the senior circuit judge and circuit judges thereof, and the District Court of the United States for the District of Columbia a district court, and the chief justice and associate justices of that court the senior district judge and district judges thereof.

District of Colum-  
bia.

Approved July 23, 1947.

# [CHAPTER 301]

## AN ACT

To integrate certain personnel of the former Bureau of Marine Inspection and Navigation and the Bureau of Customs into the Regular Coast Guard, to establish the permanent commissioned personnel strength of the Coast Guard, and for other purposes.

July 23, 1947  
[H. R. 3494]  
[Public Law 219]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the total number of commissioned officers, including permanent, temporary, temporary service, and Reserve officers on active duty, and excluding chief warrant officers, on the active list of the Coast Guard shall not exceed two thousand two hundred and fifty. Included in this number shall be the sixty-one extra numbers in rank which under existing law operate to increase the authorized number of line officers upon separation or retirement of the person holding that number, the five professors authorized by existing law who shall not be considered as extra numbers in rank, and the extra numbers in rank authorized by this Act. The commissioned officers shall be distributed in the ranks of rear admiral, captain, commander, lieutenant commander, lieutenant, lieutenant (junior grade), and ensign in the same percentages as are now or may hereafter be prescribed by statute for the Navy. To determine the authorized

Coast Guard.  
Authorized number  
of officers.

Distribution.

Computation.

number of officers in the various ranks as provided in this section the computation shall be based on the actual number of officers on active duty, including permanent, temporary, temporary service, and reserve officers on active duty, but not including extra numbers in the Coast Guard at the date of making the computation. The Secretary of the Treasury shall, at least once each year, make such a computation, and the resulting numbers in the various ranks as so computed shall be held and considered for all purposes as the authorized number in such various ranks. The nearest whole number shall be regarded as the authorized number in case fractions result in the computation. The Secretary of the Treasury is, however, as he may from time to time determine the needs of the Coast Guard require, authorized to reduce the percentages applicable to any rank or ranks above lieutenant commander and in order to compensate for such reduction, to increase correspondingly the percentages applicable to any rank or ranks below the rank or ranks in which such percentages are so reduced. No officer shall be reduced in permanent rank or pay or removed from the active list of the Coast Guard as the result of any computation or determination made by the Secretary of the Treasury to establish the number of officers in the various ranks.

Reduction and increase of percentages.

Reduction in rank, pay, etc.

Promotion to rear admiral.

Assistant Commandant and Engineer in Chief.

Rear admirals of upper half.

Precedence.

Appointment of commissioned officers.

Categories.

**SEC. 2.** Commissioned officers, including extra numbers in rank, shall be promoted to the ranks of rear admiral by selection, under such regulations as the Secretary of the Treasury may prescribe. The Assistant Commandant and the Engineer in Chief shall be entitled to the pay and allowances provided by law for rear admirals of the upper half. The number of rear admirals on the active list of the Coast Guard entitled to the pay and allowances provided by law for rear admirals of the upper half, excluding the Assistant Commandant and the Engineer in Chief for purposes of computation, shall be one-half of the number of officers on the active list of that rank. Where the division results in an odd number, the odd number shall be placed in the upper half. No officer who has or may become entitled to the pay and allowances of a rear admiral of the upper half shall suffer a reduction of his pay and allowances solely by reason of the fact that the number of rear admirals may for any reason be reduced. The precedence on the list of rear admirals shall be determined by the date of first appointment to that rank, except that the Assistant Commandant shall, while holding such office, be next in precedence to the Commandant.

**SEC. 3.** The President is authorized to appoint, by and with the advice and consent of the Senate, permanent commissioned officers in the Coast Guard in ranks appropriate to their qualifications, experience, and length of service, as the needs of the Coast Guard may require and as are found by the Secretary of the Treasury, as the result of such examinations as he may deem necessary, to be mentally, morally, professionally, and physically qualified, from among the following categories:

- (1) Graduates of the Coast Guard Academy;
- (2) Temporary commissioned officers of the Coast Guard;
- (3) Chief warrant officers, warrant officers, and enlisted men of the Coast Guard;
- (4) Members of the Coast Guard Reserve;
- (5) Licensed officers of the United States merchant marine who have served four or more years aboard a vessel of the United States in the capacity of a licensed officer; and
- (6) Personnel of the former Bureau of Marine Inspection and Navigation of the Department of Commerce, and the Bureau of Customs of the Treasury Department, who were transferred

from those bureaus to the Coast Guard by Executive Order 9083, dated February 28, 1942 (7 F. R. 1609), and by Reorganization Plan Numbered 3, effective July 16, 1946 (11 F. R. 7875), and who on March 1, 1942, held the civil-service rating of CAF-9 or P-3, or above.

50 U. S. C. app. § 601  
note.  
60 Stat. 1097.  
5 U. S. C. § 133y-16  
note.

Any person described in category (5) of this section, commissioned pursuant to the provisions of this Act, shall serve a probationary period of two years, during which time his commission may be revoked if his services are unsatisfactory, pursuant to such regulations as the Secretary of the Treasury may prescribe.

Probationary pe-  
riod.

SEC. 4. Appointees under section 3 shall take precedence with other officers in their respective ranks in accordance with the dates of commission in such ranks. Appointees whose dates of commission are the same shall take precedence with each other as the Secretary of the Treasury may determine. Appointees who, during any period of World War II, served temporarily as commissioned officers of the Coast Guard, or as commissioned officers who were regular members of the Coast Guard Reserve on active duty, shall take precedence with other officers in their respective ranks under such regulations as the Secretary of the Treasury may prescribe. Appointees from category (6) of section 3 shall be assigned running mates, as determined by the Secretary of the Treasury, from among regular line officers of the Coast Guard in the respective ranks in which such appointees are commissioned.

Precedence in rank.

Running mates.

SEC. 5. The President is authorized to appoint, by and with the advice and consent of the Senate, permanent chief warrant officers in the Coast Guard, as the needs of the Coast Guard may require and as are found by the Secretary of the Treasury as the result of such examinations as he may prescribe, to be mentally, morally, professionally, and physically qualified, from among the following categories:

Appointment of  
chief warrant officers.

Categories.

- (1) Temporary commissioned officers of the Coast Guard;
- (2) Temporary chief warrant officers of the Coast Guard;
- (3) Temporary and permanent warrant officers of the Coast Guard;
- (4) Enlisted men of the Coast Guard;
- (5) Members of the Coast Guard Reserve;
- (6) Licensed officers of the United States merchant marine; and
- (7) Personnel of the former Bureau of Marine Inspection and Navigation of the Department of Commerce, and the Bureau of Customs of the Treasury Department, who were transferred from those bureaus to the Coast Guard by Executive Order 9083, dated February 28, 1942 (7 F. R. 1609), and by Reorganization Plan Numbered 3, effective July 16, 1946 (11 F. R. 7875).

50 U. S. C. app. § 601  
note.  
60 Stat. 1097.  
5 U. S. C. § 133y-16  
note.  
Appointment of  
warrant officers.

SEC. 6. The Secretary is authorized to appoint permanent warrant officers in the Coast Guard, as the needs of the Coast Guard may require and as are found by the Secretary of the Treasury, as the result of such examinations as he may prescribe, to be mentally, morally, professionally, and physically qualified, from among the following categories:

Categories.

- (1) Temporary chief warrant officers and temporary warrant officers of the Coast Guard;
- (2) Enlisted men of the Coast Guard;
- (3) Members of the Coast Guard Reserve;
- (4) Licensed officers of the United States merchant marine; and
- (5) Personnel of the former Bureau of Marine Inspection and Navigation of the Department of Commerce, and the Bureau of Customs of the Treasury Department, who were



50 U. S. C. app. § 601  
note.  
60 Stat. 1097.  
5 U. S. C. § 133y-16  
note.  
Precedence in rank.

transferred from those bureaus to the Coast Guard by Executive Order 9083, dated February 28, 1942 (7 F. R. 1609), and by Reorganization Plan Numbered 3, effective July 16, 1946 (11 F. R. 7875).

SEC. 7. Appointees under sections 5 and 6 shall take precedence with other officers in their respective ranks in accordance with the dates of commission in such ranks. Appointees whose dates of commission are the same shall take precedence with each other as the Secretary of the Treasury may determine. Appointees who, during any period of World War II, served temporarily as commissioned officers, chief warrant officers, or warrant officers of the Coast Guard, or as commissioned officers, chief warrant officers, or warrant officers who were regular members of the Coast Guard Reserve on active duty, shall take precedence with other officers in their respective ranks under such regulations as the Secretary of the Treasury may prescribe.

Extra numbers.

SEC. 8. Included in the two thousand two hundred and fifty commissioned officers authorized by section 1 of this Act shall be four hundred and fifty-three extra numbers to which the President is authorized to appoint, pursuant to the provisions of this Act, only the personnel described in category (6) of section 3. In the event that any person from among the personnel eligible to fill such extra numbers does not qualify, or who, being qualified does not accept a commission, the extra numbers not so filled shall be reserved pending the separation of such persons from the Coast Guard by retirement, transfer, resignation, death, or other cause. Upon such separation, each vacancy so reserved, and each vacancy created by the unavailability for appointment of personnel described in category (6) of section 3, or by the retirement, resignation, death, or other separation from the active military service of the Coast Guard of personnel described in category (6) of section 3 who are commissioned pursuant to the provisions of this Act shall increase by one the authorized number of line officers, and decrease by one the authorized number of extra numbers.

Eligibility for promotion.

SEC. 9. Any person described in category (6) of section 3 who is commissioned pursuant to the provisions of this Act shall be an extra number in any rank to which he may be promoted. He shall be eligible for promotion, if otherwise qualified, at such time as the regular line officer who is his running mate becomes eligible for promotion, and shall be examined only with respect to those qualifications which pertain to his specialty.

Further examinations.

SEC. 10. No person described in category (6) of section 3, category (7) of section 5, or category (5) of section 6 shall be required to undergo further professional, physical, or mental examinations as a prerequisite to original commissioning, appointment, or enlistment pursuant to this Act, and the physical standards for such personnel while serving in the Regular Coast Guard shall not be greater than those applicable generally to civilian employees under civil-service laws and regulations.

Computation of length of service for retirement.

SEC. 11. In computing length of service for purposes of retirement of a person described in category (6) of section 3, category (7) of section 5, or category (5) of section 6 who is commissioned, appointed, or enlisted pursuant to the provisions of this Act, there shall be included, in addition to all service now or hereafter creditable by law, all service as a civilian employee of the United States within the purview of the Act of May 22, 1920, as amended (5 U. S. C. 691 and the following), such service to be classified as commissioned, warrant, or enlisted depending upon which status the person assumes upon his entry into the Regular Coast Guard. Service covering the same period shall not be counted more than once.

41 Stat. 614.  
*Ante*, p. 135; *post*, p. 453.

SEC. 12. Any person described in category (6) of section 3, category (7) of section 5, or category (5) of section 6 who is commissioned, appointed, or enlisted pursuant to the provisions of this Act shall not be entitled to any retirement benefits under any laws relating to the retirement of civilian personnel of the Federal Government, but shall be entitled upon claim therefor to a return of the total contributions made by him to the retirement fund with interest thereon and, in addition, to eligibility for retirement benefits provided by law for members of the Regular Coast Guard, he shall, if his total service in the Federal Government, civil plus military, is fifteen years or over, be entitled, upon reaching the statutory retirement age for military personnel of the Regular Coast Guard, to retirement pay amounting to 75 per centum of his active-duty pay at the time of such retirement; and, in the administration of applicable laws for physical disability retirement, a disability shall be deemed to have been incurred incident to Coast Guard service if the cause of such disability is not due to vicious habits, intemperance, or misconduct.

Retirement benefits.

Retirement pay.

Disability.

SEC. 13. No person described in category (6) of section 3, category (7) of section 5, or category (5) of section 6 who is commissioned, appointed, or enlisted in the Coast Guard pursuant to the provisions of this Act shall suffer any reduction in annual compensation, including allowances, below the compensation applicable to his permanent civil-service position at the time of such commissioning, appointment, or enlistment, exclusive of overtime compensation, and the civil-service status, tenure, seniority, and compensation of any such person who for any reason is not commissioned, appointed, or enlisted under the provisions of this Act shall not be impaired by reason of this Act.

Reduction in annual compensation, etc.

SEC. 14. Accrued military leave of any person described in category (6) of section 3, category (7) of section 5, or category (5) of section 6 who is a member of the Coast Guard Reserve or the Naval Reserve on active duty, and who is commissioned, appointed, or enlisted pursuant to the provisions of this Act, shall be credited to him upon such commissioning, appointment, or enlistment.

Accrued military leave.

SEC. 15. Any person described in category (5) of section 6 who enlists in the Coast Guard shall be considered as enlisted pursuant to this Act.

Enlistment.

SEC. 16. All Acts or parts of Acts inconsistent with this Act are hereby repealed; but nothing contained in this Act shall be construed to affect the continued application to the Coast Guard of the Act of July 24, 1941, as amended (34 U. S. C., Supp. V, secs. 350–350J).

55 Stat. 603.  
Ante, pp. 312, 313.

Approved July 23, 1947.

## [CHAPTER 302]

## AN ACT

To extend temporarily the time for filing applications for patents and for taking action in the United States Patent Office with respect thereto.

July 23, 1947  
[H. R. 3958]  
[Public Law 220]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the period of extension of priority rights under section 1 of Public Law 690, Seventy-ninth Congress, approved August 8, 1946, and the time for the payment of any fee or the taking of any other action under section 3 of said Act, specified as expiring twelve months after the passage of that Act, shall be further extended to a date not later than February 29, 1948, in favor of citizens of the United States and citizens or subjects of countries which grant or shall grant before February 29, 1948, substantially reciprocal privileges to citizens of the United States for such extended term, subject to the provisions of said Public Law 690.

Patents.

60 Stat. 940.  
35 U. S. C. § 101.60 Stat. 942.  
35 U. S. C. § 103.60 Stat. 940.  
35 U. S. C. §§ 101–  
114.

Approved July 23, 1947.

## [CHAPTER 304]

## AN ACT

July 23, 1947  
[H. R. 205]  
[Public Law 221]

To amend the Act approved May 7, 1934, granting citizenship to the Metlakahtla Indians of Alaska.

Metlakahtla, etc.,  
Indians of Alaska.

8 U. S. C. § 601 note.

U. S. citizenship.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1 of the Act of May 7, 1934, entitled "An Act granting citizenship to the Metlakahtla Indians of Alaska" (48 Stat. 667) is hereby amended to read as follows:

"That the Indians of the Tsimshian Tribe, and those people known as Metlakahtlans, who emigrated from Metlakahtla, British Columbia, Canada to Annette Island, in the Alexander Archipelago in southeastern Alaska in the year 1887, and there established a colony known as Metlakahtla, Alaska, and any and all other British Columbia Indians who joined them there not later than January 1, 1900, and have since resided continuously in the Territory of Alaska, having been faithful and loyal to the Constitution, laws, and the Government of the United States, are hereby declared to be citizens of the United States."

SEC. 2. That the first sentence of section 339 of the Nationality Act of 1940, approved October 14, 1940, as amended (54 Stat. 1160; 58 Stat. 4; 8 U. S. C. Supp. 739), is hereby amended to read as follows:

Certificate of citizenship.

8 U. S. C. § 601 (c),  
(d), (e), (g), and note.

"SEC. 339. A person who claims to have derived United States citizenship through the naturalization of a parent or through the naturalization or citizenship of a husband, or who is a citizen of the United States by virtue of the provisions of section 1993 of the United States Revised Statutes, or of section 1993 of the United States Revised Statutes as amended by section 1 of the Act of May 24, 1934 (48 Stat. 797), or who is a citizen of the United States by virtue of the provisions of section 201 (c), (d), (e), and (g) of the Nationality Act of 1940 (54 Stat. 1138; U. S. C., title 8, sec. 601), or of the Act of May 7, 1934 (48 Stat. 667), may apply to the Commissioner for a certificate of citizenship."

Approved July 23, 1947.

## [CHAPTER 305]

## AN ACT

July 24, 1947  
[H. R. 1609]  
[Public Law 222]

To authorize the Legislature of the Territory of Alaska to provide for the exercise of zoning power in town sites on the public lands of the United States.

Alaska.  
Zoning power in  
town sites.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Legislature of the Territory of Alaska is hereby authorized to exercise or to provide for the exercise of zoning power, through a Territorial Zoning Commission or otherwise, in town sites on the public lands of the United States in Alaska; except that such power shall not extend to lands or buildings while they are being utilized by, or to buildings or other structures while they are being constructed by or for, the United States.

Approved July 24, 1947.

## [CHAPTER 306]

## AN ACT

July 24, 1947  
[H. R. 1882]  
[Public Law 223]

For expenditure of funds for cooperating with the public-school board at Walker, Minnesota, for the extension of public-school facilities to be available to all Indian children in the district.

Walker, Minn.  
Appropriation au-  
thorized for school  
facilities.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, an additional sum of \$35,000 for the purpose

of cooperating with Independent School District Numbered 5, Cass County, Minnesota, at Walker, Minnesota, for the construction, extension, equipment, and improvement of public-school facilities at Walker, Minnesota, as authorized by the Act of July 1, 1940 (54 Stat. 707, 708): *Provided*, That the expenditure of the additional amount herein authorized to be appropriated shall be subject to the same terms, conditions, and requests contained in the Act of July 1, *supra*.

Approved July 24, 1947.

## [CHAPTER 307]

## AN ACT

To amend the Alaska game law.

July 24, 1947  
[H. R. 3343]  
[Public Law 224]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the second paragraph of section 4 of the Alaska game law of January 13, 1925 (43 Stat. 739), as amended July 1, 1943 (57 Stat. 301), is further amended to read as follows:

48 U. S. C. § 210.

"Members of the Commission, other than the executive officer, each shall receive as compensation for his services a per diem of \$10 while going to and from and while actually engaged in investigations, meetings, inquiries, and hearings of the Commission, but the total per diem compensation of all the Commissioners, taken together, shall not exceed the sum of \$7,000 in any one fiscal year. In addition, each member of the Commission, including the executive officer, shall have reimbursed to him necessary traveling and subsistence expenses incurred or made in the discharge of his official duties. The per diem compensation and the traveling and subsistence expenses of the Commissioners, other than the executive officer, shall be paid from the appropriations authorized by section 17 of this Act, and the salary and the traveling and subsistence expenses of the executive officer shall be paid from such appropriations for the work of the Fish and Wildlife Service in the Territory, including those provided for by this Act, as the Director may designate."

Compensation of  
members of Commission.

Reimbursement of  
expenses.

57 Stat. 312.  
48 U. S. C. § 204a.  
Salary, etc., of executive officer.

SEC. 2. Any and all employment of members of the Commission to carry out the investigations, inquiries, and hearings referred to in section 4 of the Alaska game law prior to the enactment of this Act, and the payment of compensation to them for such services in addition to the payment of compensation for their services in attendance at meetings of the Commission, is hereby approved.

43 Stat. 740.  
48 U. S. C. §§ 208-211.

Approved July 24, 1947.

## [CHAPTER 308]

## AN ACT

To transfer the Panama Railroad pension fund to the civil service retirement and disability fund.

July 24, 1947  
[H. R. 3513]  
[Public Law 225]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That beginning July 1, 1947, all officers and employees of the Panama Railroad Company not employed on the Isthmus of Panama and not within the operation of section 91 through section 107 of title 2 of the Canal Zone Code shall be included within the terms of the Civil Service Retirement Act of May 29, 1930, as amended, unless excluded by Executive orders issued under the authority of said Act.

Panama Railroad  
pension fund.

48 Stat. 1122.

SEC. 2. The Panama Railroad Company shall cause to be transferred to the Secretary of the Treasury for credit to the civil service retirement and disability fund an amount equal to the gross assets of

46 Stat. 468.  
5 U. S. C. § 691 *et seq.*  
*Ante*, p. 135; *post*,  
p. 453.  
Transfer of funds.

the Panama Railroad pension fund at the close of business on June 30, 1947, subject to the assumption of the liabilities of that fund as of the close of business on June 30, 1947, by the civil service retirement and disability fund.

Individual accounts.

SEC. 3. Under such regulations as the Civil Service Commission may prescribe, an individual account shall be established for each officer and employer who is a member of the Panama Railroad pension fund as of June 30, 1947, and to whom this Act applies, to which shall be credited the amount of contributions which he would have made, had he, while employed by the Panama Railroad Company prior to July 1, 1947, been within the purview of the Civil Service Retirement Act of May 29, 1930, as amended, with interest thereon, and credit shall be allowed for the purposes of said Act for the period of service covered by said contributions.

46 Stat. 468.  
5 U. S. C. § 691 *et seq.*  
*Ante*, p. 135; *post*, p. 453.  
Credit for service prior to July 1, 1947.  
*Supra*.

SEC. 4. No credit under section 3 of this Act shall be allowed under the Civil Service Retirement Act to any officer or employee to whom this Act applies for service rendered the Panama Railroad Company prior to July 1, 1947, unless and until the amount of any refund of contributions to any such officer or employee out of the Panama Railroad pension fund has been redeposited with interest in the civil service retirement and disability fund.

Payment of annuity.

SEC. 5. In the case of those officers and employees of the Panama Railroad Company who before July 1, 1947, shall have been retired under the provisions of the Panama Railroad pension plan, the annuity shall be paid out of the civil service retirement and disability fund, but this Act shall not be so construed as to reduce or increase the annuity in any such case, and all rights and benefits of such persons shall otherwise continue as though this Act had not been enacted.

Approved July 24, 1947.

#### [CHAPTER 309]

#### AN ACT

To amend section 1602 of the Federal Unemployment Tax Act.

July 24, 1947  
[H. R. 4011]  
[Public Law 226]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 1602 of the Federal Unemployment Tax Act (Internal Revenue Code, sec. 1602), as amended, is hereby amended by adding at the end thereof a new subsection to read as follows:

53 Stat. 184.  
26 U. S. C. § 1602.

“(d) VOLUNTARY CONTRIBUTIONS.—A State law may, without being deemed to violate the standards set forth in subsection (a), permit voluntary contributions to be used in the computation of reduced rates if such contributions are paid prior to the expiration of one hundred and twenty days after the beginning of the year for which such rates are effective, or prior to January 1, 1948, whichever date is the later.”

Applicability.

SEC. 2. The amendment made by section 1 shall be applicable only with respect to taxable years beginning after December 31, 1945.

Approved July 24, 1947.

#### [CHAPTER 311]

#### AN ACT

To amend the Act of February 12, 1925, and for other purposes.

July 24, 1947  
[H. R. 734]  
[Public Law 227]

Claims of Indian tribes in Washington.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act of Congress approved February 12, 1925 (43 Stat. 886), entitled “An Act authorizing certain Indian tribes, or any of them, residing in the State

of Washington to submit to the Court of Claims certain claims growing out of treaties or otherwise", be, and the same is hereby, amended by adding thereto the following sections:

"SEC. 4. That in the action now pending before the Court of Claims entitled "The Quinaielt Tribe of Indians versus the United States", numbered L-23, instituted pursuant to the provisions of this Act, the Quinaielt Tribe is hereby declared to be the proper party plaintiff for the purpose of further proceedings in that action, and for the purpose of prosecuting the action to a final conclusion on behalf of all Indians having rights in the Quinaielt Reservation as established under the treaty of July 1, 1855, and January 25, 1856 (12 Stat. 971), the Executive order of November 4, 1873, and any subsequent acts of Congress.

"SEC. 5. That the Court of Claims is authorized and directed, notwithstanding any other provision of this Act, to ascertain what attorney or attorneys have performed services for the Indians of the Quinaielt Reservation in the aforesaid action, and in conformity with the contract of employment, approved by the Secretary of the Interior on November 30, 1937, to determine the compensation of the attorney or attorneys on the basis of quantum meruit but not exceeding in the aggregate 10 per centum of the amount of the judgment, if any, to be entered in said action. The proceeds of the judgment, less the amount deductible for attorneys' compensation and the amount deductible for necessary and proper expenses, shall be deposited in the Treasury of the United States to the credit of the Indians having rights in the Quinaielt Reservation as established under the treaty of July 1, 1855, and January 25, 1856 (12 Stat. 971), the Executive order of November 4, 1873, and any subsequent Acts of Congress: *Provided*, That the plaintiff in the aforesaid pending action may amend its petition to conform to this Act and the Act of August 13, 1946 (Public, 726, Seventy-ninth Congress).

Approved July 24, 1947.

#### [CHAPTER 312]

#### AN ACT

Authorizing a per capita payment of \$50 each to the members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior be, and he is hereby, authorized to withdraw as much as may be necessary from the fund on deposit in the Treasury of the United States arising from the proceeds of the sale of timber and lumber within the Red Lake Reservation in Minnesota, according to the provisions of the Act of May 18, 1916 (39 Stat. L. 137), to the credit of the Red Lake Indians in Minnesota, and to make therefrom a per capita payment or distribution of \$50 to each of the members of the Red Lake Band of Chippewa Indians of the State of Minnesota, living at the date of the passage of this Act, immediately payable upon the passage of this Act, under such rules and regulations as the said Secretary may prescribe: *Provided*, That the money paid to the Indians as authorized herein shall not be subject to any lien or claim of attorneys or other parties: *Provided further*, That before any payment is made hereunder, the Red Lake Band of Chippewa Indians in Minnesota shall, in such manner as may be prescribed by the Secretary of the Interior, ratify the provisions of this Act and accept same.

Approved July 24, 1947.

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Quinaielt Tribe.

Compensation of attorneys.

Deposit of proceeds.

60 Stat. 1049.  
25 U. S. C. §§ 70-70a.

July 24, 1947  
[H. R. 1337]  
[Public Law 228]

Red Lake Band of  
Chippewa Indians,  
Minn. Per capita pay-  
ments.

Ratification of Act.

## [CHAPTER 313]

## AN ACT

July 24, 1947  
[H. R. 1554]  
[Public Law 229]

To amend the Act entitled "An Act providing for the transfer of the duties authorized and authority conferred by law upon the board of road commissioners in the Territory of Alaska to the Department of the Interior, and for other purposes", approved June 30, 1932.

Alaska.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the act entitled "An Act providing for the transfer of the duties authorized and authority conferred by law upon the board of road commissioners in the Territory of Alaska to the Department of the Interior, and for other purposes", approved June 30, 1932 (47 Stat. 446), is hereby amended by adding at the end thereof the following new section:

48 U. S. C. §§ 821a-327.

Reservation of right-of-way for roads, etc.

"SEC. 5. In all patents for lands hereafter taken up, entered, or located in the Territory of Alaska, and in all deeds by the United States hereafter conveying any lands to which it may have reacquired title in said Territory not included within the limits of any organized municipality, there shall be expressed that there is reserved, from the lands described in said patent or deed, a right-of-way thereon for roads, roadways, highways, tramways, trails, bridges, and appurtenant structures constructed or to be constructed by or under the authority of the United States or of any State created out of the Territory of Alaska. When a right-of-way reserved under the provisions of this Act is utilized by the United States or under its authority, the head of the agency in charge of such utilization is authorized to determine and make payment for the value of the crops thereon if not harvested by the owner, and for the value of any improvements, or for the cost of removing them to another site, if less than their value."

Payment for value of crops, etc.

Approved July 24, 1947.

## [CHAPTER 314]

## AN ACT

July 24, 1947  
[H. R. 2097]  
[Public Law 230]

To declare the ownership of the timber on the allotments on the Northern Cheyenne Indian Reservation, and to authorize the sale thereof.

Northern Cheyenne Indian Reservation.  
Sale of timber, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the provisions of the Act of June 3, 1926 (44 Stat. 690), the timber on the allotments on the Northern Cheyenne Indian Reservation, whether or not the lands were hitherto classified as chiefly valuable for timber, are hereby declared to be the property of the allottees and may hereafter be sold pursuant to the provisions of section 8 of the Act of June 25, 1910 (36 Stat. 857; 25 U. S. C., sec. 406). Nothing contained in this Act shall be construed to require the payment to the allottees of the proceeds of sales made prior to the passage of this Act.

Approved July 24, 1947.

## [CHAPTER 315]

## AN ACT

July 24, 1947  
[H. R. 2825]  
[Public Law 231]

To provide additional funds for cooperation with public-school districts (organized and unorganized) in Mahnomon, Itasca, Pine, Becker, and Cass Counties, Minnesota, in the construction, improvement, and extension of school facilities to be available to both Indian and white children.

Minnesota.  
Appropriation authorized for school facilities.  
54 Stat. 1020.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in addition to the amount authorized to be appropriated by the Act of October 8, 1940 (Public, Numbered 804, Seventy-sixth Congress), there is hereby authorized to be appropriated, out of any funds in the Treasury not

otherwise appropriated, the sum of \$213,000 for the purpose of cooperating with the following public-school districts (both organized and unorganized) in the State of Minnesota, such appropriation to be apportioned as follows: Naytahwaush, Independent School District Numbered 29, Mahnomen County, \$146,000; Inger, District Numbered 6 (Deer River), Itasca County, \$12,500; Lake Lena, District Numbered 129, Pine County, \$12,500; Pine Point, District Numbered 133, Becker County, \$27,000; Squaw Point area, unorganized territory, Cass County, \$15,000; for the construction, extension, equipment, and improvement of public-school facilities: *Provided*, That the expenditure of any money so authorized shall be subject to the express conditions that the schools maintained by these said districts in the said buildings shall be available to all Indian children of the districts, on the same terms, except as to payment of tuition, as other children of said school districts: *Provided further*, That plans and specifications for construction, extension, or improvement of structures shall be furnished by local or State authorities without cost to the United States Government, and upon approval thereof by the Commissioner of Indian Affairs, actual work shall proceed under the direction of such local or State officials. Payment for work in place shall be made monthly on vouchers properly certified by local officials of the Indian Service: *Provided further*, That any amount expended on any project hereunder, title to which will, after recoupment is accomplished, vest in the public school district, shall be recouped by the United States within a period of thirty years, commencing with the date of occupancy of the project, through reducing the annual Federal payments for the education of Indian pupils enrolled in public or high schools of the district involved, or by the acceptance of Indian pupils in such schools without cost to the United States, and in computing the amount of recoupment for each project interest at 3 per centum per annum shall be included on unrecouped balances: *And provided further*, That not to exceed 10 per centum of the amount allocable to any of the several above-named districts may be transferred in the discretion of the Commissioner of Indian Affairs, to the amount of any other of the above-mentioned projects, but no project shall be increased more than 10 per centum by any such transfer.

Approved July 24, 1947.

[CHAPTER 316]

AN ACT

Granting the consent and approval of Congress to an interstate compact relating to the better utilization of the fisheries (marine, shell, and anadromous) of the Pacific coast and creating the Pacific Marine Fisheries Commission,

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the consent and approval of Congress is hereby given to an interstate compact relating to the better utilization of the fisheries (marine, shell, and anadromous) of the Pacific coast, creating the Pacific Marine Fisheries Commission, and now ratified by the States of California, Oregon, and Washington. The compact reads as follows:

“PACIFIC MARINE FISHERIES COMPACT

“The contracting states do hereby agree as follows:

“ARTICLE I

“The purposes of this compact are and shall be to promote the better utilization of fisheries, marine, shell and anadromous, which are of mutual concern, and to develop a joint program of protection

Availability of schools to Indian children.

Plans and specifications.

Payment for work.

Recoupment by U.S.

Transfer of funds.

July 24, 1947  
[H. R. 3598]  
[Public Law 232]

Interstate fisheries compact, Pacific coast.

Pacific Marine Fisheries Commission.

Purposes.



and prevention of physical waste of such fisheries in all of those areas of the Pacific ocean over which the states of California, Oregon and Washington jointly or separately now have or may hereafter acquire jurisdiction.

Limiting of production, etc.

"Nothing herein contained shall be construed so as to authorize the aforesaid states or any of them to limit the production of fish or fish products for the purpose of establishing or fixing the prices thereof or creating and perpetuating a monopoly.

#### "ARTICLE II

Operation of agreement.

"This agreement shall become operative immediately as to those states executing it whenever two or more of the states of California, Oregon and Washington have executed it in the form that is in accordance with the laws of the executing state and the congress has given its consent.

#### "ARTICLE III

State representation on commission.

"Each state joining herein shall appoint, as determined by state statutes, one or more representatives to a commission hereby constituted and designated as the Pacific Marine Fisheries Commission, of whom one shall be the administrative or other officer of the agency of such state charged with the conservation of the fisheries resources to which this compact pertains. This commission shall be invested with the powers and duties set forth herein.

Term of commissioners, etc.

"The term of each commissioner of the Pacific marine fisheries commission shall be four years. A commissioner shall hold office until his successor shall be appointed and qualified but such successor's term shall expire four years from legal date of expiration of the term of his predecessor. Vacancies occurring in the office of such commissioner from any reason or cause shall be filled for the unexpired term, or a commissioner may be removed from office, as provided by the statutes of the state concerned. Each commissioner may delegate in writing from time to time, to a deputy, the power to be present and participate, including voting as his representative or substitute, at any meeting of or hearing by or other proceeding of the commission.

Voting powers.

"Voting powers under this compact shall be limited to one vote for each state regardless of the number of representatives.

#### "ARTICLE IV

Inquiry respecting conservation, etc.

"The duty of the said commission shall be to make inquiry and ascertain from time to time such methods, practices, circumstances and conditions as may be disclosed for bringing about the conservation and the prevention of the depletion and physical waste of the fisheries, marine, shell and anadromous, in all of those areas of the Pacific ocean over which the states of California, Oregon and Washington jointly or separately now have or may hereafter acquire jurisdiction. The commission shall have power to recommend the coordination of the exercise of the police powers of the several states within their respective jurisdictions and said conservation zones to promote the preservation of those fisheries and their protection against overfishing, waste, depletion or any abuse whatsoever and to assure a continuing yield from the fisheries resources of the signatory parties hereto.

Coordination of police powers.

Recommendations to governors and legislatures.

"To that end the commission shall draft and, after consultation with the advisory committee hereinafter authorized, recommend to the governors and legislative branches of the various signatory states hereto legislation dealing with the conservation of the marine, shell and anadromous fisheries in all of those areas of the Pacific

ocean over which the states of California, Oregon and Washington jointly or separately now have or may hereafter acquire jurisdiction. The commission shall, more than one month prior to any regular meeting of the legislative branch in any state signatory hereto, present to the governor of such state its recommendations relating to enactments by the legislative branch of that state in furthering the intents and purposes of this compact.

"The commission shall consult with and advise the pertinent administrative agencies in the signatory states with regard to problems connected with the fisheries and recommend the adoption of such regulations as it deems advisable and which lie within the jurisdiction of such agencies.

Consultations.

"The commission shall have power to recommend to the states signatory hereto the stocking of the waters of such states with marine, shell or anadromous fish or fish eggs or joint stocking by some or all of such states and when two or more of the said states shall jointly stock waters the commission shall act as the coordinating agency for such stocking.

Stocking of waters with fish and fish eggs.

#### "ARTICLE V

"The commission shall elect from its number a chairman and a vice chairman and shall appoint and at its pleasure remove or discharge such officers and employes as may be required to carry the provisions of this compact into effect and shall fix and determine their duties, qualifications and compensation. Said commission shall adopt rules and regulations for the conduct of its business. It may establish and maintain one or more offices for the transaction of its business and may meet at any time or place within the territorial limits of the signatory states but must meet at least once a year.

Organization.

Offices.

#### "ARTICLE VI

"No action shall be taken by the commission except by the affirmative vote of a majority of the whole number of compacting states represented at any meeting. No recommendation shall be made by the commission in regard to any species of fish except by the vote of a majority of the compacting states which have an interest in such species.

Action taken by commission.

#### "ARTICLE VII

"The fisheries research agencies of the signatory states shall act in collaboration as the official research agency of the Pacific marine fisheries commission.

State research agencies.

"An advisory committee to be representative of the commercial fishermen, commercial fishing industry and such other interests of each state as the commission deems advisable shall be established by the commission as soon as practicable for the purpose of advising the commission upon such recommendations as it may desire to make.

Advisory committee.

#### "ARTICLE VIII

"Nothing in this compact shall be construed to limit the powers of any state or to repeal or prevent the enactment of any legislation or the enforcement of any requirement by any state imposing additional conditions and restrictions to conserve its fisheries.

Powers of State.

#### "ARTICLE IX

"Continued absence of representation or of any representative on the commission from any state party hereto, shall be brought to the attention of the governor thereof.

Continued absence of representation.

## "ARTICLE X

Contributions of  
compacting States.

"The states agree to make available annual funds for the support of the commission in proportion to the primary market value of the products of their fisheries as recorded in the latest published reports (five year average), provided no state shall contribute less than two thousand dollars (\$2,000) per annum and the annual contribution of each state above the minimum shall be figured to the nearest one hundred dollars.

"The compacting states agree to make available initially the annual amounts scheduled below, which amounts are calculated in the manner set forth herein, on the basis of the latest five year catch records. Subsequent budgets shall be recommended by a majority of the commission and the total amount thereof allocated equitably among the states in accordance with the above formula.

"Schedule of Initial Annual State Contributions	
California-----	\$11,000
Oregon-----	\$ 2,000
Washington-----	\$ 2,000
Total-----	\$15,000

## "ARTICLE XI

Duration.

"This compact shall continue in force and remain binding upon each state until renounced by it. Renunciation of this compact must be preceded by sending six months' notice in writing of intention to withdraw from the compact to the other parties hereto."

Report to Congress.

SEC. 2. The Pacific Marine Fisheries Commission constituted by the compact shall make an annual report to Congress not later than sixty days after the beginning of each regular session thereof.

SEC. 3. The right to alter, amend, or repeal the provisions of sections 1, 2, and 3 is hereby expressly reserved.

Approved July 24, 1947.

## [CHAPTER 320]

## AN ACT

To make surplus property available for the alleviation of damage caused by flood or other catastrophe.

July 25, 1947  
[S. 1615]  
[Public Law 233]

Transfer of surplus  
property to alleviate  
flood damage, etc.

50 U. S. C. app.  
§§ 1611-1646.  
Post, p. 678.

Receipts from trans-  
fers.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding any other provisions of law, the War Assets Administration shall, whenever the President shall determine it to be necessary or appropriate because of flood or other catastrophe, transfer, without reimbursement, to the Federal Works Agency such articles of personal property, which have been declared surplus under the provisions of the Surplus Property Act of 1944 (58 Stat. 765), as amended, as in the judgment of the Federal Works Administrator and the War Assets Administrator can be presently utilized in alleviating damage, hardship, and suffering caused by such flood or other catastrophe.

SEC. 2. The Federal Works Administrator is authorized to loan or transfer, with or without monetary consideration and upon such terms and conditions as he may prescribe, to States and local governments situated in any area struck by any such flood or catastrophe, any property transferred to the Federal Works Agency for such purposes pursuant to the provisions of this Act. All receipts from such transfer shall be covered into the Treasury of the United States to the credit of miscellaneous receipts.

SEC. 3. In carrying out the provisions of this Act the Federal Works Administrator is authorized to utilize, and act through, any other Federal agency or any State or local government and he may utilize, without reimbursement therefor, such officers and employees of any such agency or State or local government as may be found necessary in carrying out the purposes of this Act. In order to facilitate carrying out the purposes of this Act, other Federal agencies shall cooperate with the Federal Works Agency and the War Assets Administration to the fullest extent consistent with the objective of this Act.

Cooperation of Federal agencies.

SEC. 4. To carry out the provisions of this Act, including administrative expenses in connection therewith, any funds available to the Federal Works Administrator or Agency for use in connection with the transfer of surplus or other excess property, under Public Law 697, Seventy-ninth Congress, are hereby made available; and for such purpose there is authorized to be appropriated such additional sums as may be necessary therefor.

Availability of funds.

60 Stat. 958.  
42 U. S. C. §§ 1572, 1574.  
Akte, p. 128; post, p. 453.  
Appropriation authorized.

Approved July 25, 1947.

# [CHAPTER 321]

## AN ACT

To amend Public Law 304, Seventy-seventh Congress.

July 25, 1947  
[H. R. 187]  
[Public Law 234]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That Public Law 304, Seventy-seventh Congress, entitled "An Act to authorize transportation of employees of the United States on vessels of the Army transport service", approved November 21, 1941 (55 Stat. 775), is amended to read as follows:

Alaska.

10 U. S. C. § 1371a.

"That when, in the opinion of the Secretary of War, accommodations are available, transportation on vessels or airplanes of Army transport agencies may be provided, without expense to the United States, to employees of the United States, residing in Alaska, who have been in such employment for a period of not less than two years, and to their families: *Provided*, That except in cases of dire emergency, such as sickness or death, the privilege herein granted shall be limited, as to each eligible individual, to one round trip between Alaska and the States during each two-year period from and after the passage of this Act: *And provided further*, That no such traffic by air shall be carried by the Army if such air traffic can be reasonably handled by a United States civil air carrier, and the carriage of all such air traffic shall be terminated if the Civil Aeronautics Board certifies that in its opinion commercial services of United States civil air carriers adequate to handle such air traffic are in operation between Alaska and the continental United States."

Transportation of U. S. employees on Army transports.

Limitation.

Air transportation.

Approved July 25, 1947.

# [CHAPTER 322]

## AN ACT

Authorizing the transfer to the United States Section, International Boundary and Water Commission, by the War Assets Administration of a portion of Fort McIntosh at Laredo, Texas, and certain personal property in connection therewith, without exchange of funds or reimbursement.

July 25, 1947  
[H. R. 2225]  
[Public Law 235]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the United States Section, International Boundary and Water Commission, United States and Mexico, is hereby authorized to accept by transfer without reimbursement or exchange of funds, and to assume permanent

International Boundary and Water Commission.  
Transfer of property to U. S. Section.

custody and control over, that portion of Fort McIntosh at Laredo, Texas, described as follows: A tract containing sixty-five and twenty-five one-hundredths acres, more or less, shown as tract 2 on drawing numbered 7125-08 of the United States Section of the International Boundary and Water Commission, United States and Mexico, and on field notes attached thereto, which drawing and field notes are on file with said United States Section, with the Federal Public Housing Authority, and with the War Assets Administration; together with the improvements and buildings hereon located, and such of the furnishings, equipment, and other personal property situated at Fort McIntosh and under the jurisdiction of the War Assets Administration, and which has heretofore been declared surplus, as may be needed for the maintenance, operation, and protection of the area described and improvements thereon, and for purposes incidental to the use of such property by the said United States Section as a field headquarters, or for other purposes, in connection with any project or works under the jurisdiction of the said United States Section, said property having heretofore been declared surplus and assigned to the Federal Public Housing Authority as disposal agency by the War Assets Administration; and the War Assets Administration, or other Federal agency in responsible charge, is authorized and directed to transfer said property to the said United States Section without reimbursement or exchange of funds.

Approved July 25, 1947.

#### CHAPTER 323]

#### AN ACT

To amend section 12 of the Naval Aviation Cadet Act of 1942, as amended, and to amend section 2 of the Act of June 16, 1936, as amended, so as to authorize lump-sum payments under the said Acts to the survivors of deceased officers without administration of estates.

July 25, 1947  
[H. R. 2314]  
[Public Law 236]

Naval Aviation Cadet Act of 1942, amendment.  
34 U. S. C. § 850k.

Payment on release from active duty.  
34 U. S. C. §§ 849 notes, 853c.

Payment to beneficiaries, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 12 of the Naval Aviation Cadet Act of 1942 (56 Stat. 738), as amended by the Act of October 25, 1943 (57 Stat. 574), as so amended, is hereby further amended by striking out that part of the said section which appears before the first proviso thereof and substituting therefor the following: "When officers commissioned pursuant to this Act or the Naval Aviation Reserve Act of 1939 (53 Stat. 819) are released from active duty that has been continuous for one or more years, they shall be paid a lump sum of \$500 for each complete year of continuous commissioned active service, or, in the event of the death of such officers, the beneficiaries specially designated in the manner prescribed by the Secretary of the Navy shall be paid such sum, or, if no beneficiary has been specially designated and no demand is presented by a duly appointed legal representative of the deceased officer's estate, the decedent's widow, or legal heirs shall be paid such sum in the following order of precedence: First, to the widow; second, if the decedent left no widow, or the widow be dead at the time of settlement, then to the children or their issue, per stirpes; third, if no widow or descendants, then to the father and mother in equal parts; fourth, if either the father or mother be dead, then to the one surviving; fifth, if there be no widow, child, father, or mother at the date of settlement, then to the brothers and sisters and children of deceased brothers and sisters, per stirpes; and in the event of the death of such officers not the result of their own misconduct, or if released from active duty otherwise than upon their own request or as a result of disciplinary action, this lump-sum payment shall be prorated for fractional parts of each year of such service:".

Add a new section 2, as follows:

"SEC. 2. Section 2 of the Act of June 16, 1936 (49 Stat. 1524), as amended by section 2 of the Act of April 3, 1939 (53 Stat. 559), as amended by section 6 of the Act of June 3, 1941 (55 Stat. 240), as so amended, is hereby further amended by adding at the end of the section the following: 'Provided, That in the event of the death of such officer, after continuous active duty for one or more years, the beneficiaries specially designated in the manner prescribed by the Secretary of War shall be paid such sum, or, if no beneficiary has been specially designated and no demand is presented by a duly appointed legal representative of the deceased officer's estate, the decedent's widow, or legal heirs shall be paid such sum in the following order of precedence: First, to the widow; second, if the decedent left no widow, or the widow be dead at the time of settlement, then to the children or their issue, per stirpes; third, if no widow or descendants, then to the father and mother in equal parts; fourth, if either the father or mother be dead, then to the one surviving; fifth, if there be no widow, child, father, or mother at the date of settlement, then to the brothers and sisters and children of deceased brothers and sisters, per stirpes; and in the event of the death of such officer, not the result of his own misconduct, this lump-sum payment shall be prorated for fractional parts of each year of such service.'"

Approved July 25, 1947.

10 U. S. C. § 300a.

Payment to beneficiaries, etc.

#### [CHAPTER 324]

#### AN ACT

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1948, and for other purposes.

July 25, 1947  
[H. R. 4106]

[Public Law 237]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there are appropriated for the District of Columbia for the fiscal year ending June 30, 1948, out of (1) the general fund of the District of Columbia, hereinafter known as the general fund, such fund being composed of the revenues of the District of Columbia other than those applied by law to special funds, and \$11,000,000, which is hereby appropriated for the purpose out of any money in the Treasury not otherwise appropriated (to be advanced July 1, 1947), (2) highway funds, established by law (D. C. Code, title 47, ch. 19), and (3) the water fund, established by law (D. C. Code, title 43, ch. 15) and \$1,000,000, which is hereby appropriated for the purpose out of any money in the Treasury not otherwise appropriated (to be advanced July 1, 1947), sums as follows:

District of Columbia Appropriation Act, 1948.  
*Ante*, pp. 118, 187, 188, 244, 245, 361; *post*, pp. 608, 609, 698.

*Ante*, p. 361.

*Ante*, p. 339.

From the general fund: All sums appropriated under the following heads: General administration, fiscal service, compensation and retirement fund expenses, regulatory agencies, public schools, Public Library, Recreation Department, Metropolitan Police, Fire Department, policemen's and firemen's relief, Veterans' Services, courts, Health Department, public welfare, public works (excluding those items designated as payable from the highway and water funds), National Guard, National Capital Parks, National Capital Park and Planning Commission, and National Zoological Park;

From the highway fund: All sums appropriated under District debt service and public works designated as payable from the highway fund; and

*Post*, p. 443.

From the water fund: All sums appropriated under public works and Washington aqueduct, designated as payable from the water fund; namely:

## GENERAL ADMINISTRATION

For expenses necessary for the offices named under this general head:

42 Stat. 1488.  
5 U. S. C. § 661 *et seq.*

National Conference of Commissioners on Uniform State Laws.

Executive office, plus so much as may be necessary to compensate the Engineer Commissioner at such rate in grade 8 of the professional service of the Classification Act of 1923, as amended, as may be determined by the Board of Commissioners of the District of Columbia, hereafter in this Act referred to as the Commissioners; six members of the Apprenticeship Council at \$120 per annum each; \$250 to aid in support of the National Conference of Commissioners on Uniform State Laws; general advertising in newspapers and legal periodicals in the District of Columbia but not elsewhere, unless the need for advertising outside the District of Columbia shall have been specifically approved by the Commissioners, including notices of public hearings, publication of orders and regulations, tax and school notices, and notices of changes in regulations; and \$20,000 for expenses in case of emergency, such as riot, pestilence, public insanitary conditions, flood, fire, or storm, and for expenses of investigations; \$208,000: *Provided*, That the certificate of the Commissioners shall be sufficient voucher for the expenditure of \$1,500 of this appropriation for such purposes as they may deem necessary.

D. C. Code §§ 1-902  
to 1-905.

Office of the corporation counsel, including extra compensation for the corporation counsel as general counsel of the Public Utilities Commission; \$4,500 for the settlement of claims not in excess of \$250 each, approved by the Commissioners in accordance with the Act approved February 11, 1929 (45 Stat. 1160), as amended by the Act approved June 5, 1930 (46 Stat. 500); and judicial expenses, including witness fees and expert services, in District of Columbia cases before the courts of the United States and of the District of Columbia; \$224,000.

Board of Tax Appeals, \$20,600.

## FISCAL SERVICE

For expenses necessary for the offices named under this general head:

Assessor's office, including advertising notice of taxes in arrears July 1, 1947, to be reimbursed by a charge of 75 cents for each lot or piece of property advertised, \$574,000: *Provided*, That this appropriation shall not be available for the payment of advertising the delinquent tax list for more than once a week for two weeks in the regular issue of one newspaper published in the District of Columbia.

D. C. Code § 5-430.

Collector's office, including refunding, wholly or in part, erroneous payments of taxes, special assessments, school tuition charges, payment for lost library books, rents, fines, fees, or collections of any character, which have been erroneously covered into the Treasury to the credit of the general fund, including the refunding of fees paid for building permits authorized by the District of Columbia Appropriation Act approved March 2, 1911 (36 Stat. 967), \$299,900: *Provided*, That this appropriation shall be available for such refunds of payments made within the past three years.

Auditor's office, \$388,000.

Purchasing Division, \$88,800.

## COMPENSATION AND RETIREMENT FUND EXPENSES

For compensation and retirement fund expenses, as follows:

*Ante*, p. 244.

41 Stat. 104.  
D. C. Code § 1-311.

District government employees' compensation: For carrying out the provisions of section 11 of the District of Columbia Appropriation Act approved July 11, 1919, authorizing compensation for

employees of the government of the District of Columbia suffering injuries while in the performance of their duties, \$62,000.

Workmen's compensation, administrative expenses: For transfer to the Bureau of Employees' Compensation for administration of the law providing compensation for disability or death resulting from injury to employees in certain employments in the District of Columbia, \$123,000.

District government employees' retirement: For financing of the liability of the government of the District of Columbia, created by the Act approved May 22, 1920, as amended (5 U. S. C. 707a), \$1,530,000, which amount shall be placed to the credit of the "Civil service retirement and disability fund".

Retirement Act,  
contribution.

41 Stat. 614.  
5 U. S. C. § 691 *et seq.*  
*Ante*, p. 135; *post*, p.  
453.

### DISTRICT DEBT SERVICE

District debt service (payable from highway fund): For reimbursement to the United States of funds loaned, including interest as required, in compliance with sections 3 and 4 of the Act of December 20, 1941 (55 Stat. 847), as amended, \$70,000.

### REGULATORY AGENCIES

Regulatory agencies: For expenses necessary for agencies named under this general head:

Alcoholic Beverage Control Board, including \$1,000 for the purchase of samples, \$87,800.

Board of Indeterminate Sentence and Parole, \$56,600.

Coroner's office, including juror fees, and repairs to the morgue, \$45,600.

Department of Insurance, \$61,900.

Department of Weights, Measures, and Markets, including maintenance and repairs to markets, \$2,500 for purchase of commodities and for personal services in connection with investigation and detection of sales of short weight and measure, purchase of three passenger motor vehicles, \$135,700: *Provided*, That the Disbursing Officer of the District of Columbia is authorized to advance to the Director of the Department of Weights and Measures, and Markets, upon requisition previously approved by the Auditor of the District of Columbia, sums of money, not exceeding \$200 at any one time, to be used exclusively in connection with investigations and detection of short weights and measures.

License Bureau, \$40,600.

Minimum Wage and Industrial Safety Board, \$54,650.

Office of Administrator of Rent Control, \$100,000.

Office of Recorder of Deeds, including \$100 for equipment and medical supplies for rest room, \$183,500, of which \$21,000 shall be available exclusively for the purchase of photostatic equipment.

Poundmaster's office, including uniforms for dog catchers, \$34,100.

Public Utilities Commission, \$128,377: *Provided*, That no appropriation in this Act shall be used for or in connection with the preparation, issuance, publication, or enforcement of any regulation or order of the Public Utilities Commission requiring the installation of meters in taxicabs, or for or in connection with the licensing of any vehicle to be operated as a taxicab except for operation in accordance with such system of uniform zones and rates and regulations applicable thereto as shall have been prescribed by the Public Utilities Commission: *Provided further*, That the foregoing provision shall not be construed to prevent the Public Utilities Commission from holding a hearing upon any application that may be made for the installation of meters in taxicabs.

Zoning Commission, \$29,500.

*Post*, p. 698.

Meters in taxicabs.



## PUBLIC SCHOOLS

## OPERATING EXPENSES

General administration: For expenses necessary for the general administration of the public-school system of the District of Columbia, \$556,300.

*Ante*, p. 369.

General supervision and instruction: For expenses necessary for supervision, instruction, and education in the teachers colleges and in the day, evening, and summer public schools of the District of Columbia, and the education of foreigners of all ages in the Americanization schools; including textbooks; and subsistence supplies for pupils attending the schools for crippled children; \$13,546,620.

49 Stat. 1488.  
20 U. S. C. §§ 15h-15q.

Vocational education, George-Barden program: For expenses necessary for the development of vocational education in the District of Columbia in accordance with the Act of June 8, 1936, as amended, including allowances for privately owned automobiles used for the performance of official duties within the District of Columbia (not to exceed \$100 per annum for each automobile), \$185,900.

Operation of buildings and grounds and maintenance of equipment: For expenses necessary for the operation of school buildings and grounds and the purchase and repair of equipment, including insurance of District-owned or borrowed passenger motor vehicles, \$2,542,000.

*Ante*, p. 244.

Repairs to other  
municipal buildings.

Repairs and maintenance of buildings and grounds: For expenses necessary for the repair, maintenance, and improvement of school buildings, mechanical equipment, and school grounds, \$1,130,000: *Provided*, That this appropriation shall be available for making repairs to other municipal buildings, subject to reimbursement from other applicable appropriations for the cost of such work, and a report of all such expenditures shall be submitted to Congress in the annual Budget.

Report to Congress.

Deaf and dumb,  
and blind persons.

Auxiliary educational services: For the maintenance and instruction of deaf and dumb persons of the District of Columbia admitted to the Columbia Institution for the Deaf, and for the maintenance and instruction of colored deaf mutes of teachable age, and blind children, of the District of Columbia, in Maryland or some other State, by contract entered into by the Commissioners, for the transportation of children attending schools or classes established by the Board of Education for physically handicapped children, and for carrying out the provisions of the Act of December 16, 1944 (58 Stat. 811), \$96,600.

34 U. S. C. § 945.

41 Stat. 387.  
D. C. Code §§ 31-701  
to 31-720.  
60 Stat. 875.  
*Ante*, p. 260; *post*, p.  
750.

Teachers' retirement appropriated fund: To carry out the Act of January 15, 1920, as amended by the Act of June 11, 1926 (44 Stat. 727), and the Act of August 7, 1946 (Public Law 624), \$1,707,000: *Provided*, That the Treasury Department shall prepare the estimates of the annual appropriations required to be made to the teachers' retirement fund, and shall make actuarial valuations of such fund at intervals of five years, or oftener if deemed necessary by the Secretary of the Treasury, and the Commissioners are authorized to expend from money to the credit of the teachers' retirement fund not exceeding \$5,000 per annum for this purpose, including personal services, without regard to the civil-service and classification laws.

## CAPITAL OUTLAY

For furnishing and equipping the following school buildings: Bunker Hill Elementary School, Central Senior High School, Chamberlain Vocational High School, Crummell Elementary School, Dunbar Senior High School, Kimball Elementary School, Kramer

Junior High School, Logan Elementary School, Miller Junior High School, Nalle Elementary School, Phelps Vocational High School, Randall Junior High School, Sousa Junior High School, Taft Junior High School, Tyler Elementary School, Washington Vocational High School, Western Senior High School, and Young Elementary School, \$600,000, to remain available until expended.

For construction, as follows:

For continuing construction of the Miller Junior High School, including recreation facilities and treatment of grounds, to be located in the vicinity of Forty-ninth Street and Washington Place Northeast, \$350,000, and the contract authorization for said building specified in the First Deficiency Appropriation Act, 1946, is hereby increased to \$1,808,000: *Provided*, That not to exceed \$25,890 of the amount herein appropriated may be transferred to the credit of the appropriation account "Office of Municipal Architect, construction services", and be available for the preparation of plans and specifications for said building;

Construction of  
school buildings.

59 Stat. 643.

For beginning construction of a new twenty-four-room elementary-school building, including auditorium, lunchroom, physical education and recreation facilities, and treatment of grounds, in the vicinity of Third and L Streets Northwest, to replace the present Walker and Jones Schools, \$300,000, and the Commissioners are authorized to enter into a contract or contracts for such building at a total cost not to exceed \$671,000: *Provided*, That not to exceed \$9,630 of the amount herein appropriated may be transferred to the credit of the appropriation account "Office of Municipal Architect, construction services", and be available for the preparation of plans and specifications for said building, and the amount appropriated in the District of Columbia Appropriation Act, 1946, for plans and specifications for a twenty-four-room elementary-school building to replace the present Walker and Jones Schools shall be available for the preparation of plans and specifications for the building specified herein;

59 Stat. 277.

For an additional amount for the construction of an addition to the Randall Junior High School, consisting of eighteen rooms and a cafeteria, necessary remodeling of the present building, and treatment of grounds, \$130,000;

For an additional amount for the construction of an eight-room addition to the Kimball Elementary School, including an assembly hall-gymnasium, recreation facilities, necessary remodeling of the present building, and treatment of grounds, \$140,000, and the Commissioners are authorized to enter into a contract or contracts for such addition at a total cost not to exceed \$525,000: *Provided*, That not to exceed \$6,450 of the amount herein appropriated may be transferred to the credit of the appropriation account "Office of Municipal Architect, construction services", and be available for the preparation of plans and specifications for said addition;

For an additional amount for the construction of an eight-room addition to the Logan Elementary School, including an assembly hall-gymnasium, recreation facilities, treatment of grounds, and necessary remodeling of the present building, \$148,000;

For continuing construction of a new twenty-four-room elementary-school building, including an assembly hall-gymnasium, recreation facilities, and treatment of grounds, in the vicinity of East Capitol Street and Benning Road Southeast (Nalle), \$200,000, and the contract authorization for said building specified in the District of Columbia Appropriation Act, 1947, is hereby increased to \$664,000: *Provided*, That not to exceed \$7,320 of the amount herein appropriated may be transferred to the credit of the appropriation account "Office of Municipal Architect, construction services", and be available for the preparation of plans and specifications for said building;

60 Stat. 506.

60 Stat. 505.

For continuing construction of a new junior high-school building (Sousa), including recreation facilities and treatment of grounds, to be located in the vicinity of Thirty-fourth Street and Minnesota Avenue Southeast, \$300,000, and the contract authorization for said building specified in the District of Columbia Appropriation Act, 1947, is hereby increased to \$1,895,000: *Provided*, That not to exceed \$28,500 of the amount herein appropriated may be transferred to the credit of the appropriation account "Office of Municipal Architect, construction services", and be available for the preparation of plans and specifications for said building;

59 Stat. 643.

The contract authorization for the Spingarn Senior High School specified in the First Deficiency Appropriation Act, 1946, is hereby increased to \$2,505,000;

For alterations and additions at the Central High School, \$60,000;

58 Stat. 514.

For beginning construction of a sixteen-room elementary-school building (Montgomery), including auditorium, lunchroom, physical education and recreation facilities, and treatment of grounds, in the vicinity of New Jersey Avenue and P Street Northwest, to replace the present Morse and Twining Elementary Schools, \$150,000, and the Commissioners are authorized to enter into a contract or contracts for such building at a total cost not to exceed \$600,000: *Provided*, That not to exceed \$7,280 of the amount herein appropriated may be transferred to the credit of the appropriation account "Office of Municipal Architect, construction services", and be available for the preparation of plans and specifications for said building, and the amount appropriated in the District of Columbia Appropriation Act, 1945, for plans and specifications for an elementary-school building to replace the present Morse and Twining Schools shall be available for the preparation of plans and specifications for the building specified herein;

For beginning construction of an eight-room addition to the Beers Elementary School including an assembly hall-gymnasium, recreation facilities, necessary remodeling of the present building, and treatment of grounds, \$150,000, and the Commissioners are authorized to enter into a contract or contracts for such addition at a total cost not to exceed \$487,800: *Provided*, That not to exceed \$14,634 of the amount herein appropriated may be transferred to the credit of the appropriation account "Office of Municipal Architect, construction services", and be available for the preparation of plans and specifications for said addition;

58 Stat. 514.

For beginning construction of a twenty-four-room elementary-school building, including auditorium, lunchroom, physical education and recreation facilities, and treatment of grounds, in the vicinity of Nichols Avenue and Sumner Road Southeast, to replace the present Birney permanent and temporary buildings, \$200,000, and the Commissioners are authorized to enter into a contract or contracts for such building at a total cost not to exceed \$725,000: *Provided*, That not to exceed \$6,750 of the amount herein appropriated may be transferred to the credit of the appropriation account "Office of Municipal Architect, construction services", and be available for the preparation of plans and specifications for said building, and the amount appropriated in the District of Columbia Appropriation Act, 1945, for plans and specifications for a twenty-four-room elementary-school building to replace the present Birney School shall be available for the preparation of plans and specifications for the building specified herein;

For the construction of a temporary eight-room addition to the Crummell Elementary School, \$115,000;

For continuing construction of an addition to the Taft Junior High School, including ten classrooms, two gymnasiums, recreation facilities, an inclined floor in the auditorium, necessary improvements

and alterations of the present building, and treatment of grounds, \$310,000, and the contract authorization of said addition specified in the First Deficiency Appropriation Act, 1946, is hereby increased to \$814,000: *Provided*, That not to exceed \$18,210 of the amount herein appropriated may be transferred to the credit of the appropriation account "Office of Municipal Architect, construction services", and be available for the preparation of plans and specifications for said addition, and the amount appropriated in the District of Columbia Appropriation Act, 1946, for an addition to the Taft Junior High School is hereby made available for the construction of the addition specified herein;

59 Stat. 643.

59 Stat. 276.

For the preparation of plans and specifications for a new senior high-school building to replace the present Armstrong Senior High School building, including recreation facilities and treatment of grounds, to be constructed at a total cost of not to exceed \$2,505,000 on a site owned by the District of Columbia in Brentwood Park, \$75,150, which amount may be credited to the appropriation account "Office of Municipal Architect, construction services", and the availability for the expenditure of the unexpended balance of the appropriation of \$32,760 for the preparation of plans and specifications for an addition to the Armstrong Senior High School, contained in the District of Columbia Appropriation Act, 1947, Public Law 493, Seventy-ninth Congress, second session, is hereby rescinded;

60 Stat. 506.

For completion of three classrooms on the second floor of the Bunker Hill Elementary School, and necessary improvements and alterations of the present building, \$25,000;

For the preparation of plans and specifications for an eight-room addition to the Payne Elementary School, including an assembly hall-gymnasium, recreation facilities, and necessary remodeling of the present building, to be constructed at a total cost not to exceed \$498,000 including treatment of grounds, \$14,940, which amount may be credited to the appropriation account "Office of Municipal Architect, construction services";

For beginning construction of an eight-room addition to the Young Elementary School, including necessary remodeling of the present building, and treatment of grounds, \$150,000, and the Commissioners are authorized to enter into a contract or contracts for such addition at a total cost not to exceed \$305,000: *Provided*, That not to exceed \$9,150 of the amount herein appropriated may be transferred to the credit of the appropriation account "Office of Municipal Architect, construction services", and be available for the preparation of plans and specifications for said addition;

For the preparation of plans and specifications for an eight-room addition to the Syphax Elementary School, including necessary remodeling of the present building, to be constructed at a total cost not to exceed \$305,000, including treatment of grounds, \$9,150, which amount may be credited to the appropriation account "Office of Municipal Architect, construction services";

For the preparation of plans and specifications for a new junior high-school building to replace the present Shaw Junior High-School Building, including recreation facilities and treatment of grounds, to be constructed at a total cost of not to exceed \$1,808,000, on a site owned by the District of Columbia, at Seventh and O Streets Northwest, \$54,240, which amount may be credited to the appropriation account "Office of Municipal Architect, construction services", and the availability for the expenditure of the unexpended balance of the appropriation of \$5,250 for the preparation of plans and specifications for a new auditorium at the Shaw Junior High School, and for the conversion of the present auditoriums into two

Availability of funds rescinded.

59 Stat. 277.

gymnasiums, contained in the District of Columbia Appropriation Act, 1946 (Public Law 103, Seventy-ninth Congress, first session), is hereby rescinded;

59 Stat. 643.

For continuing construction of a new elementary-school building, including an assembly hall-gymnasium, recreation facilities, and treatment of grounds, in the vicinity of Eleventh and G Streets Southeast, to replace the present Cranch and Tyler Schools, \$300,000, and the contract authorization for said building specified in the First Deficiency Appropriation Act, 1946, is hereby increased to \$670,000: *Provided*, That not to exceed \$9,600 of the amount herein appropriated may be transferred to the credit of the appropriation account "Office of Municipal Architect, construction services", and be available for the preparation of plans and specifications for said building;

For the preparation of preliminary sketches of gymnasiums and of a stadium and associated structures at Dunbar Senior High School, including the improvement of grounds for athletic purposes, \$4,000, which amount may be credited to the appropriation account "Office of Municipal Architect, construction services";

Total.

For an additional amount for the construction of a seven-room addition on the third floor of the Anacostia Senior High School, including necessary remodeling of the present building, \$33,750;

In all, for construction, including preparation of plans and specifications, \$3,219,230, to be immediately available as one fund and to remain available until expended, to be disbursed and accounted for as "Capital outlay, construction public schools, District of Columbia".

Purchase of sites.

For the purchase of sites as follows:

In the vicinity of Ninth and C Streets Southeast, to provide additional land required for a new junior high school to replace the present Hine Junior High School;

In the vicinity of River Terrace Northeast, to provide for an eight-room elementary school, and for playground purposes;

In the vicinity of Twenty-first and L Streets Northwest, to provide for a twenty-four-room elementary school, including an auditorium and physical education and recreation facilities, to replace the present Stevens Elementary School, and for playground purposes;

At the Payne Elementary School to provide for an eight-room elementary-school addition, including an assembly hall-gymnasium and recreation facilities, and for school-playground purposes;

At the Syphax Elementary School to provide for an eight-room elementary-school addition, and for school-playground purposes;

In the vicinity of Third and L Streets Northwest, to provide for additional land needed for the construction of a twenty-four-room elementary-school building, including an auditorium and physical education and recreation facilities, to replace the present Walker and Jones Schools, and for school-playground purposes;

Total.

In all, for sites, \$450,000, to remain available until expended and to be disbursed and accounted for as "Capital outlay, school building and playground sites, District of Columbia".

58 Stat. 515.

The appropriation for the purchase of a site in the vicinity of the Amidon School, for the construction of a twenty-four-room elementary school building, including an assembly hall-gymnasium, for the replacement of present Amidon, Fairbrother, and Greenleaf Schools, in the District of Columbia Appropriation Act, 1945, shall cease to be available for the purchase of a site at such location but is hereby made available for the purchase of a site in the vicinity of Sixth and G Streets Southwest, for the construction of an elementary school building, including auditorium, lunchroom, physical education and recreation facilities, and treatment of grounds, to replace the same three elementary schools.

Section 6 of the Legislative, Executive, and Judicial Appropriation Act, approved May 10, 1916, as amended, shall not apply from July 1 to September 15, 1947, to teachers of the public schools of the District of Columbia when employed by any of the executive departments or independent establishments of the United States Government.

Double salaries.  
39 Stat. 120.  
5 U. S. C. §§ 58, 59.

No part of the appropriations herein made for the public schools of the District of Columbia shall be used for the free instruction of pupils who dwell outside the District of Columbia: *Provided*, That this limitation shall not apply to pupils who are enrolled in the schools of the District of Columbia on the date of the approval of this Act.

Free instruction of  
pupils outside D. C.

## PUBLIC LIBRARY

For expenses necessary for the operation of the Public Library, including extra services on Sundays and holidays; newspapers, books, periodicals, and other printed material, including payment in advance for subscription thereto; music records, sound recordings, and educational films; alterations, repairs; fitting up buildings; care of grounds; and rent of suitable quarters for branch libraries in Anacostia, Chevy Chase, and Woodridge; \$1,154,600: *Provided*, That the disbursing officer of the District of Columbia is authorized to advance to the librarian of the Public Library, upon requisition previously approved by the Auditor of the District of Columbia, not exceeding \$50 at the first of each month, for the purchase of certain books, pamphlets, periodicals, or newspapers, or other printed material.

*Ante*, p. 244.

The unexpended balances of the amounts made available by the District of Columbia Appropriation Act, 1940, for the preparation of plans and specifications for the new central building of the Public Library of the District of Columbia shall remain available for the same purposes and under the same conditions and limitations until June 30, 1948.

53 Stat. 1011.

## RECREATION DEPARTMENT

Operating expenses: For expenses necessary for operation and maintenance of recreation facilities in and for the District of Columbia, \$1,055,300.

*Ante*, p. 244.

Capital outlay: For improvement of various recreation units, including erection of recreation structures, preparation of architectural and landscape architectural plans, and reimbursement to the United States of funds advanced in compliance with section 501 of the Act of October 3, 1944 (58 Stat. 791), \$220,500.

50 U. S. C. app.  
§ 1671.

## METROPOLITAN POLICE

For expenses necessary for the Metropolitan Police, including pay and allowances; one inspector who shall be property clerk; the present acting sergeant in charge of police automobiles with the rank and pay of sergeant; the present acting sergeant in charge of the police radio station with the rank and pay of lieutenant; the present sergeant in charge of purchasing and accounts with the rank and pay of lieutenant; corporals at \$2,600 per annum each; technicians with basic salary increase of \$240 per annum each; not to exceed four detectives in the salary grade of captain; probational detectives with basic salary increase of \$120 per annum each; allowances for privately owned automobiles used by inspectors in the performance of official duties at not to exceed \$480 per annum for each automobile; meals for prisoners; rewards for fugitives; medals of award; photographs; rental and maintenance of teletype system; travel expenses incurred in prevention and detection of crime; \$3,000 for expenses of attendance, without loss of pay or time, at specialized police training classes and pistol

*Ante*, p. 311.

*Ante*, p. 244.

Technicians.

Prevention and detection of crime.

Maintenance of public order, etc.

matches, including tuition and entrance fees; \$2,500 for expenses of the police training school, including travel expenses of visiting lecturers or experts in criminology; police equipment and repairs to same; insignia of office, uniforms, and other official equipment, including cleaning, alteration, and repair of articles transferred from one individual to another, or damaged in the performance of duty; purchase of passenger motor vehicles; expenses of harbor patrol; and the maintenance of a suitable place for the reception and detention of girls and women over seventeen years of age, arrested by the police on charge of offense against any laws in force in the District of Columbia, or held as witnesses or held pending final investigation or examination, or otherwise; \$5,900,000, of which amount \$16,000 shall be exclusively available for expenditure by the Superintendent of Police for prevention and detection of crime, under his certificate, approved by the Commissioners, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended.

For expenses necessary to enable the Commissioners of the District of Columbia to maintain public order and protect life and property in said District during the period of public recognition extended to returning military or naval personnel or visiting dignitaries, including the cost of removing and relocating streetcar loading platforms, roping of streets, erection of stands, printing of signs, and operation of temporary comfort stations, \$10,000: *Provided*, That the certificate of the Commissioners shall be sufficient voucher for the expenditure of \$2,000 of this appropriation for such purposes as they may deem necessary.

Advances.

Capital outlay, Metropolitan Police: For the construction of a police precinct station house, including equipment, on land to be acquired by the District of Columbia in square 5083, \$174,000.

The disbursing officer of the District of Columbia is authorized to advance to the Superintendent of Police upon the approval of the Commissioners, sums of money to be used in the prevention and detection of crime, the total of such advancements not to exceed \$5,000 at any one time.

## FIRE DEPARTMENT

*Ante*, p. 244.

For expenses necessary for the Fire Department, including pay and allowances; uniforms and other official equipment, including cleaning, alteration, and repair of articles transferred from one individual to another, or damaged in the performance of duty; purchase of passenger motor vehicles; repairs and improvements to buildings and grounds; \$3,644,400, of which not to exceed \$77,000 may be expended for maintenance and operation of the fire-alarm system: *Provided*, That the Commissioners, in their discretion, may authorize the construction, in whole or in part, of fire-fighting apparatus in the Fire Department repair shop.

Capital outlay, Fire Department: For the acquisition of sites for fire-engine houses in the vicinity of Forty-ninth and East Capitol Streets Southeast and in the vicinity of Twenty-fourth and Irving Streets Southeast, and for the purchase of fire-alarm systems, \$114,600, to remain available until expended.

## POLICEMEN'S AND FIREMEN'S RELIEF

*Ante*, p. 244.

For policemen's and firemen's relief and other allowances as authorized by law, \$2,300,000.

## VETERANS' SERVICES

For expenses necessary to provide services to veterans and war workers, including personal services without regard to classification or civil-service laws, \$107,100.

## COURTS

District of Columbia courts: For expenses of the following District of Columbia courts, including witness fees and compensation of jurors; lawbooks, books of reference, and periodicals; printing and binding; lodging and meals for jurors, bailiffs, and deputy United States marshals while in attendance upon jurors, when ordered by the courts; and meals for prisoners:

Juvenile court, \$231,500, of which \$500 shall be available for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944, and of which \$12,400 shall be available for payment to the United States Public Health Service for furnishing psychiatric service, including the detail of necessary medical and other personnel: *Provided*, That the disbursing officer of the District of Columbia is authorized to advance to the chief probation officer of the juvenile court upon requisition previously approved by the judge of the juvenile court and the auditor of the District of Columbia, not to exceed \$50 at any one time, to be expended for travel expenses to secure the return of absconding probationers.

58 Stat. 394.  
39 U. S. C. §§ 321c-321h.  
*Post*, p. 450.

Return of absconding probationers.

Municipal court, including pay of retired judges and \$651 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944, \$475,900: *Provided*, That deposits made on demands for jury trials in accordance with rules prescribed by the court under authority granted in section 11 of the Act approved March 3, 1921 (41 Stat. 1312), shall be earned unless, prior to three days before the time set for such trials, including Sundays and legal holidays, a new date for trial be set by the court, cases be discontinued or settled, or demands for jury trials be waived.

*Supra*.

D. C. Code § 11-722.

"

Municipal court of appeals, \$77,400, of which \$300 shall be available for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944.

*Supra*.

United States courts: For reimbursement to the United States for services rendered to the District of Columbia by the Judiciary and the Department of Justice as specified under the head "United States courts for the District of Columbia" in the Judiciary Appropriation Act, 1948, and in the Department of Justice Appropriation Act, 1948, \$833,000.

*Ante*, pp. 302, 289.

Probation system: For expenses necessary for the probation system, including \$150 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944, \$47,900.

*Supra*.

Office of Register of Wills: For expenses necessary for the Office of Register of Wills, including \$600 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944; and contract statistical services, \$146,900.

*Supra*.

Commission on Mental Health: For expenses necessary for the Commission on Mental Health, including an executive secretary at \$4,150 per annum and physician-members at \$5,153 per annum, \$39,200, of which \$1,000 shall be available for the payment of fees to attorneys appointed in accordance with the Act of June 8, 1938 (52 Stat. 625), not exceeding \$25 in any one case.

D. C. Code § 21-303.



## HEALTH DEPARTMENT

X-ray survey.

Automobile allow-  
ances.

Volunteer services.

Special services.

Operating expenses, Health Department (excluding hospitals) : For expenses necessary for the general administration, medical services, laboratories, and inspection services of the Health Department, including the enforcement of the Acts relating to the prevention of the spread of contagious and infectious diseases in the District of Columbia; the maintenance of tuberculosis and venereal-disease clinics and dispensaries; the conduct of hygiene and sanitation work in schools; the maintenance of a dental-health service; the maintenance of a maternal and child-health service; housekeeping assistance in cases of authentic indigent sick at salary rates to be fixed by the Commissioners; the maintenance of a service for the care of handicapped and crippled children; the conducting of a mass X-ray tuberculosis survey; the establishment of a cancer control project; the maintenance of a public health engineering service; the maintenance of a nursing service; the maintenance of a psychiatric service; the maintenance of an emergency ambulance service; the operation and maintenance of laboratories; out-patient relief of the poor, including medical and surgical supplies, artificial limbs, and pay of physicians at rates to be fixed by the Commissioners, and the enforcement of the Acts relating to the drainage of lots and abatement of nuisances in the District of Columbia, the Act relating to the adulteration of foods, drugs, and candy, the Act relating to the manufacture and sale of mattresses, the Act relating to the manufacture, sale, and transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and the Act relating to the sale of milk, cream, and ice cream; such expenses to include one physician at \$5,905 per annum to be appointed without regard to civil-service laws; contract investigational service; uniforms; rent; purchase of passenger motor vehicles; manufacture of serum in indigent cases; and allowances for privately owned automobiles used for the performance of official duties (not to exceed \$264 per annum for each automobile for employees other than dairy-farm inspectors and not to exceed \$312 per annum for each automobile for dairy-farm inspectors); \$2,042,000: *Provided*, That the Commissioners may, without creating any obligation for the payment of money on account thereof, accept such volunteer services as they may deem expedient in connection with the establishment and maintenance of the medical services herein provided for: *Provided further*, That not to exceed \$200 may be expended for special services in detecting adulteration of drugs and foods, including candy and milk.

Operating expenses, Glenn Dale Tuberculosis Sanatorium: For expenses necessary for the Tuberculosis Sanatorium at Glenn Dale, Maryland, including compensation of consulting physicians at rates to be fixed by the Commissioners; rental and purchase of busses and an ambulance; classroom supplies; and repairs and improvements to buildings and grounds; \$1,600,000, of which not to exceed \$5,000 shall be for the compensation of convalescent patients to be employed in essential work of the sanatorium and as an aid to their rehabilitation at rates and under conditions to be determined by the Commissioners; but nothing in this paragraph shall be construed as conferring employee status on patients whose services are so utilized.

Operating expenses, Gallinger Municipal Hospital: For expenses necessary for Gallinger Municipal Hospital and the Tuberculosis Hospital at Fourteenth and Upshur Streets Northwest including one superintendent at \$9,975 per annum plus \$1,500 per annum for a residence; one deputy superintendent at \$7,581 per annum; not to exceed five full-time chief medical officers at \$7,581 per annum each and two associate medical officers at \$5,905 per annum each, to be

appointed without reference to civil-service requirements; musical instruments and music; expenses of commencement exercises, entertainments, and the training school for nurses; expenses incident to furnishing proper containers for the reception, burial, and identification of the ashes of all human bodies of indigent persons that are cremated at the public crematorium and remain unclaimed after twelve months from the date of such cremation; and repairs and improvements to buildings and grounds; \$3,450,000.

Medical charities: For care and treatment of indigent patients under contracts to be made by the Health Officer of the District of Columbia and approved by the Commissioners with institutions, as follows: Children's Hospital, \$190,000; Central Dispensary and Emergency Hospital, \$65,000; Eastern Dispensary and Casualty Hospital, \$65,000; Washington Home for Incurables, \$35,000; in all \$355,000.

Columbia Hospital and Lying-in-Asylum: For general repairs, including labor and material to be expended under the direction of the Architect of the Capitol, \$10,000.

Freedmen's Hospital: For reimbursement to the United States for services rendered to the District of Columbia by Freedmen's Hospital, as specified under the head, "Freedmen's Hospital", in the Federal Security Agency Appropriation Act, 1948, \$400,000.

*Ante*, p. 265.

## DEPARTMENT OF CORRECTIONS

Operating expenses: For expenses necessary for the Department of Corrections, including subsistence of interns; compensation of consulting physicians, dentists, and other specialists at rates to be fixed by the Commissioners; attendance of guards at pistol and rifle matches; uniforms and other distinctive wearing apparel necessary for employees in the performance of their official duties; rental of motion-picture films; repairs and improvements to buildings and grounds; purchase of motorbusses; support, maintenance, and transportation of prisoners transferred from the District of Columbia; expenses of interment of deceased inmates; electrocutions; shipping remains of deceased prisoners to their homes in the United States; identifying, pursuing, recapturing (including rewards therefor), and returning to institutions, escaped inmates and parole and conditional-release violator; and returning released prisoners to their residences, or to such other place within the United States as may be authorized by the Director, and the furnishing of suitable clothing and, in the discretion of the Director, an amount of money not to exceed \$30, regardless of length of sentence, \$2,500,000: *Provided*, That the disbursing officer of the District of Columbia is authorized to advance to the Director, Department of Corrections, upon requisitions previously approved by the Auditor of the District of Columbia and upon such security as the Commissioners may require of said Director, sums of money not exceeding \$500 at one time, to be used only for expenses in returning escaped prisoners, conditional releases, and parolees: *Provided further*, That not to exceed \$40,000 of the amount appropriated for Operating Expenses, Adult Correctional Service, District of Columbia Appropriation Act, fiscal year 1947, and the unexpended balance of the amount of \$116,600 appropriated for Capital Outlay, Structural Improvements at the Jail, District of Columbia Appropriation Act, fiscal year 1947, are continued available until June 30, 1948.

Advances.

60 Stat. 514.

60 Stat. 514.

## PUBLIC WELFARE

For expenses necessary for the general administration of public welfare in the District of Columbia, including contract investigational services; \$87,000.

*Ante*, p. 244.

57 Stat. 374.  
29 U. S. C. §§ 31-41.  
58 Stat. 277.  
D. C. Code, Supp.  
V, §§ 32-751 to 32-765.

"Penny milk" program.

42 Stat. 1488.  
5 U. S. C. § 661 *et seq.*

"Victory" gardens.

Collections from milk program.

Visits to wards outside D. C., Va., and Md.

**Agency services:** For expenses necessary for certification of persons eligible for any public benefits which are or may become available as may be approved by the Commissioners, relief and rehabilitation for purposes of employment of indigent residents of the District of Columbia, to be expended under rules and regulations prescribed by the Commissioners; vocational rehabilitation of disabled residents of the District of Columbia in accordance with the provisions of the Act of July 6, 1943 (Public Law 113); aid to dependent children in accordance with the provisions of the Act of June 14, 1944 (Public Law 340); assistance against old-age want, as authorized by law; aid for needy blind persons, as authorized by law; services for children in their own homes; distribution of surplus commodities and relief milk to public and charitable institutions; \$62,000 for necessary expenses, including personal services without regard to the Classification Act of 1923, as amended, for the carrying out, under regulations to be prescribed by the Commissioners of a "penny milk" program for the school children of the District, including the purchase and distribution of milk under agreement with the United States Department of Agriculture, and for the carrying out of a food-conservation program in the District of Columbia, including "Victory" gardens and the canning of the products thereof; maintenance pending transportation, and transportation, of indigent nonresident persons; transportation of other indigent persons, including veterans and their families; deportation of nonresident insane persons, as provided by law, including persons held in the psychopathic ward of the Gallinger Municipal Hospital; burial of indigent residents of the District of Columbia; for placing and visiting children; board and care of all children committed to the guardianship of the Board of Public Welfare by the courts of the District, including white girls committed to the National Training School for Girls and all children accepted by said Board for care as authorized by law; temporary care of children pending investigation or while being transferred from place to place, with authority to pay for the care of children in institutions under sectarian control; for continuous maintenance of foster homes for temporary or emergency board and care of nondelinquent children; care and maintenance of women and children under contracts to be made by the Board of Public Welfare and approved by the Commissioners with the Florence Crittenton Home, St. Ann's Infant Asylum and Maternity Hospital, the House of Mercy, and other institutions caring for unmarried mothers; and for burial of children dying while beneficiaries under this appropriation, including rental, repair, and upkeep of building; \$3,110,400: *Provided*, That collections from the milk program shall be paid to the collector of taxes, District of Columbia, for deposit in the Treasury of the United States to the credit of the District, and that reimbursement for canning of "Victory" garden products shall be in kind and for the benefit of public-welfare institutions of the District of Columbia: *Provided further*, That no part of this appropriation shall be used for the purpose of visiting any ward of the Board of Public Welfare placed outside of the District of Columbia and the State of Virginia and Maryland, and a ward placed outside said District and the States of Virginia and Maryland shall be visited not less than once a year by a voluntary agent or correspondent of said Board, and said Board shall have power to discharge from guardianship any child committed to its care.

**Operating expenses, protective institutions:** For expenses necessary for the operation of the Industrial Home School, the Industrial Home School for Colored Children, the National Training School for Girls, the Municipal Lodging House, the Home for the Aged and Infirm, the District Training School; Temporary Home for

Former Soldiers and Sailors; maintenance, under jurisdiction of the Board of Public Welfare, of a suitable place in a building entirely separate and apart from the house of detention for the reception and detention of children under eighteen years of age arrested by the police on charge of offense against any laws in force in the District of Columbia or committed to the guardianship of the Board, or held as witnesses, or held temporarily, or pending hearing, or otherwise; including subsistence of interns; compensation of consulting physicians and veterinarians at rates to be fixed by the Commissioners; repairs and improvements to buildings and grounds; securing suitable homes for paroled or discharged children; and care and maintenance of boys committed to the National Training Schools for Boys by the courts of the District of Columbia under a contract to be made by the Board of Public Welfare with the Attorney General at a rate of not to exceed \$2 per day for each boy so committed; \$1,852,900: *Provided*, That no part of this appropriation shall be used for the maintenance of white girls in the National Training School for Girls: *Provided further*, That the salary of the superintendent of the National Training School for Girls shall be at the rate of \$4,400 per annum.

Restriction on use of funds.

Salary of superintendent.

Capital outlay, protective institutions: For an additional amount for the construction of a third floor and a permanent roof to the hospital and administration building, District Training School, \$52,000, and the appropriation \$70,000 for the foregoing purpose, contained in the First Deficiency Appropriation Act, 1946, shall remain available until expended.

59 Stat. 643.

Saint Elizabeths Hospital: For support of indigent insane of the District of Columbia in Saint Elizabeths Hospital, as provided by law, \$6,229,000.

Day-care centers: For all expenses necessary for the establishment, maintenance, and operation of a system of nurseries and nursery schools for the day care of children of school or under school age, including personal services, as authorized by Public Law 123, Eightieth Congress, approved June 27, 1947, \$150,000: *Provided*, That no part of these funds shall be expended for the care of children the income of whose parents, parent, or guardian exceeds \$2,600 per annum.

*Ante*, p. 188.

Restriction.

The disbursing officer of the District of Columbia is authorized to advance to the Director of Public Welfare, upon requisitions previously approved by the Auditor of the District and upon such security as the Commissioners may require of said Director, sums of money to be used for placing and visiting children; returning parolees; and deportation of nonresident insane persons; the total of such advancements not to exceed \$2,000 at any one time.

Advances.

## PUBLIC WORKS

Operating expenses, office of chief clerk: For expenses for the office of chief clerk, including maintenance and repair of wharves; and \$1,000 for affiliation with the National Safety Council, Incorporated; \$71,000.

Office of Municipal Architect: For expenses necessary for the Office of Municipal Architect, \$88,400.

All apportionments of appropriations for the use of the Office of Municipal Architect in payment of personal services employed on construction work provided for by said appropriations shall be based on an amount not exceeding 3 per centum of a total of not more than \$2,000,000 of appropriations made for such construction projects and not exceeding  $2\frac{3}{4}$  per centum of a total of the appropriations in excess of \$2,000,000, and appropriations specifically made in this Act for the

Basis of apportionment.

## Reimbursements.

preparation of plans and specifications shall be deducted from any allowances authorized under this paragraph: *Provided*, That reimbursements may be made to this fund from appropriations contained in this Act for services rendered other activities of the District government, without reference to fiscal-year limitations on such appropriations.

*Ante*, p. 244.

Operating expenses, Office of Superintendent of District Buildings: For expenses necessary for care of the District buildings, including rental of postage meter equipment, uniforms and caps for guards, \$876,000.

Capital outlay, office of superintendent of District buildings: For the purchase and installation of equipment, to convert the District building power plant from steam to electricity, \$34,800.

Surveyor's office: For expenses necessary for the surveyor's office, \$128,700.

## Fire escapes.

D. C. Code §§ 5-301 to 5-312.  
D. C. Code §§ 5-601 to 5-615, 5-501 to 5-505.

Department of Inspections: For expenses necessary for the Department of Inspections, including the enforcement of the Act requiring the erection of fire escapes on certain buildings (48 Stat. 843) and the removal of dangerous or unsafe and insanitary buildings (34 Stat. 157; 49 Stat. 105); such expenses to include two members of the plumbing board at \$150 per annum each; two members of the board of examiners, steam engineers, at \$300 per annum each (the inspector of boilers to serve without additional compensation); \$6 per diem to each member of board of survey, other than the inspector of buildings, while actually employed in surveys of such dangerous and unsafe buildings; three members of board of special appeal; one member of motion-picture operators examining board at \$300 per annum; and two members of electrical examining board at \$300 per annum each; \$540,860.

*Ante*, p. 244.

Operating expenses, Electrical Division: For expenses necessary for the operation and maintenance of the District's communication systems, including rental, purchase, installation, and maintenance of telephone, telegraph, and radio services; and street lighting, including the installation and maintenance of public lamps, lamp posts, street designations, lanterns, and fixtures of all kinds on streets, avenues, roads, alleys, and public spaces, part cost and maintenance of airport and airway lights necessary for operation of the air mail to be expended in accordance with the provisions of sections 7 and 8 of the District of Columbia Appropriation Act for the fiscal year 1912 (36 Stat. 1008), and with the provisions of the District of Columbia Appropriation Act for the fiscal year 1913 (37 Stat. 181), and other laws applicable thereto; \$1,175,000: *Provided*, That this appropriation shall not be available for the payment of rates for electric street lighting in excess of those authorized to be paid in the fiscal year 1927, and payment for electric current for new forms of street lighting shall not exceed 2 cents per kilowatt-hour for current consumed.

D. C. Code §§ 7-701 to 7-705.

Rates for electric street lighting.

Capital outlay, Electrical Division: For expenses necessary for placing underground, relocating, and extending the telephone, police-patrol, and fire-alarm systems; and purchase of lampposts, street designations and fixtures of all kinds; \$137,900.

*Ante*, p. 244.

Central garage: For expenses, including the purchase of passenger motor vehicles, work cars, field wagons, ambulances, and busses and three chauffeurs for the Executive Office at \$2,394 per annum each, \$133,300.

Use of motor vehicles.

All motor-propelled passenger-carrying vehicles (including watercraft) owned by the District of Columbia shall be operated and utilized in conformity with section 5 (c) of the Act of August 2, 1946 (Public Law 600, Seventy-ninth Congress), and shall be under the direction and control of the Commissioners, who may from time to time alter or change the assignment for use thereof, or direct the alteration or

60 Stat. 810,  
5 U. S. C. § 78(c).

interchangeable use of any of the same by officers and employees of the District, except as otherwise provided in this Act: *Provided*, That "official purposes" shall not apply to the Commissioners of the District of Columbia and in cases of officers and employees, the character of whose duties make such transportation necessary, and then only as to such latter cases when the same is approved by the Commissioners. No motor vehicles shall be transferred from the police or fire departments to any other branch of the government of the District of Columbia.

Nonapplicability of  
"official purposes."

Operating expenses, Street and Bridge Divisions (payable from highway fund): For operating expenses of the Street and Bridge Divisions, including operation, minor construction, maintenance, and repair of bridges; repairs to streets, avenues, roads, sidewalks, and alleys; reconditioning existing gravel streets and roads; and cleaning snow and ice from streets, sidewalks, cross walks, and gutters, in the discretion of the Commissioners; such expenses to include purchase of passenger motor vehicles, surveying instruments, implements, and equipment used in this work: \$1,858,000, of which amount \$45,000 shall be exclusively for snow removal purposes: *Provided*, That the Commissioners are hereby authorized to purchase and install a municipal asphalt plant including all auxiliary plant equipment to be paid for from this appropriation at a cost not to exceed \$150,000.

*Ante*, p. 244.

Snow removal.  
Municipal asphalt  
plant.

Capital outlay, Street and Bridge Divisions (payable from highway fund): For expenses necessary for the grading, surfacing, paving, repaving, widening, altering, and otherwise improving streets, avenues, roads, and alleys, including curbing and gutters, directional and pedestrian islands at various intersections to permit of proper traffic-light control and channelization of traffic, drainage structures, culverts, suitable connections to storm-water sewer system, retaining walls, replacement and relocation of sewers, water mains, fire hydrants, traffic lights, street lights, fire-alarm boxes, police-patrol boxes, and curb-line trees, when necessary, Federal-aid highway projects under section 1 (b) of the Federal Aid Highway Act of 1938, and highway structure projects financed wholly from the highway fund upon the approval of plans for such structures by the Commissioners; for carrying out the provisions of existing laws which authorize the Commissioners to open, extend, straighten, or widen streets, avenues, roads, or highways, in accordance with the plan of the permanent system of highways for the District of Columbia, and alleys and minor streets, and for the establishment of building lines in the District of Columbia, including the procurement of chains of title; and for assessment and permit work, paving of roadways under the permit system, and construction of sidewalks and curbs around public reservations and municipal and United States buildings, including purchase or condemnation of streets, roads, and alleys, and of areas less than two hundred and fifty square feet at the intersection of streets, avenues, or roads in the District of Columbia, to be selected by the Commissioners, \$5,285,000, to remain available until June 30, 1949, and the limit of cost of the South Capitol Street Bridge as specified in the District of Columbia Appropriation Act, 1943, is increased to \$5,400,000: *Provided*, That appropriations contained in this Act for highways, sewers, city refuse, and the Water Division shall be available for snow removal when ordered by the Commissioners in writing: *Provided further*, That in connection with the purchase and installation of a municipal asphalt plant on District owned property the Commissioners are authorized to make expenditures from this appropriation in an amount not exceeding \$150,000 for the preparation of the site, including the construction of sea walls, dock facilities, and a railroad siding: *Provided further*, That in connection with the highway planning

52 Stat. 633.  
23 U. S. C. § 41b.

56 Stat. 453.  
Snow removal.

Municipal asphalt  
plant.

52 Stat. 636; 53 Stat. 1066.  
 52 Stat. 633.  
 23 U. S. C. § 41b.  
 41 U. S. C. § 5.  
 60 Stat. 810.  
 5 U. S. C. § 55a.  
 Street-railway pavements.  
 D. C. Code § 7-604.  
 20 Stat. 106.  
 D. C. Code § 7-604.  
 Assessments for paving and repaving.  
 Contracts.  
 58 Stat. 838.  
 23 U. S. C. §§ 60-63.  
 Grade-crossing elimination.  
 23 U. S. C. § 24a.  
 52 Stat. 633.  
 23 U. S. C. § 41b.  
 Widths of sidewalks and roadways.  
 Open competition for street-improvement contracts.  
 Liability for repairs.  
*Ante*, p. 244.  
 Parking meters.  
 Traffic safety education.

survey, involving surveys, plans, engineering, and economic investigations of projects for future construction in the District of Columbia, as provided for under section 10 of the Federal Aid Highway Act of 1938, and in connection with the construction of Federal-aid highway projects under section 1 (b) of said Act, and highway structure projects financed wholly from the highway fund, this appropriation shall be available for the employment of engineering or other professional services by contract or otherwise, and without regard to section 3709 of the Revised Statutes and the civil-service and classification laws, and section 15 of the Act of August 2, 1946 (60 Stat. 806), and for engineering and incidental expenses: *Provided further*, That this appropriation shall be available for the construction and repair of pavements of street railways in accordance with the provisions of the Merger Act (47 Stat. 752), and the proportion of the amount thus expended which under the terms of the said Act is required to be paid by the street-railway company shall be collected, upon the neglect or the refusal of such street-railway company to make such payment, from the said street-railway company in the manner provided by section 5 of the Act of June 11, 1878, and shall be deposited to the credit of the appropriation for the fiscal year in which it is collected: *Provided further*, That assessments in accordance with existing law shall be made for paving and repaving roadways, alleys, and sidewalks where such roadways, alleys, and sidewalks are paved or repaved with funds herein appropriated: *Provided further*, That in connection with projects to be undertaken as Federal-aid projects under the provisions of the Federal Aid Highway Act of December 20, 1944, the Commissioners are authorized to enter into contract or contracts for those projects in such amounts as shall be approved by the Public Roads Administration, Federal Works Agency: *Provided further*, That this appropriation may be used for payment to contractors and for other expenses in connection with the expense of design, construction, and inspection of grade-crossing elimination and other construction projects authorized under section 8 of the Act of June 16, 1936 (49 Stat. 1521), and section 1 (b) of the Federal Aid Highway Act of 1938, pending reimbursement to the District of Columbia by the Public Roads Administration, Federal Works Agency, reimbursement to be credited to fund from which payment was made: *Provided further*, That the Commissioners are authorized to fix or alter the respective widths of sidewalks and roadways (including tree spaces and parking) of all highways that may be improved under appropriations contained in this Act: *Provided further*, That no appropriation in this Act shall be available for repairing, resurfacing, or paving any street, avenue, or roadway by private contract unless the specifications for such work shall be so prepared as to permit of fair and open competition in paving materials as well as in price: *Provided further*, That in addition to the provision of existing law requiring contractors to keep new pavements in repair for a period of one year from the date of the completion of the work, the Commissioners shall further require that where repairs are necessary during the four years following the said one-year period, due to inferior work or defective materials, such repairs shall be made at the expense of the contractor, and the bond furnished by the contractor shall be liable for such expense.

Department of Vehicles and Traffic (payable from highway fund): For expenses necessary for the Department of Vehicles and Traffic, including purchase, installation, modification, operation, and maintenance of electric traffic lights, signals, controls, markers, and directional signs; purchase of motor-vehicle identification number plates; installation, operation, and maintenance of parking meters on the streets of the District of Columbia, \$20,000 for traffic safety

education without reference to any other law; \$15,000 for expense necessary for the preparation of studies, preliminary plans and surveys, estimates and investigation for a system of centralized control of the traffic signal system, including temporary services as authorized by section 15 of Act of August 2, 1946, Public Law 600; and for all expenses necessary in carrying out the provisions of the District of Columbia Motor Vehicle Parking Facility Act of 1942, approved February 16, 1942 (56 Stat. 90), including personal services (except a director) and printing and binding; \$741,400: *Provided*, That no part of this or any other appropriation contained in this Act shall be expended for building, installing, and maintaining streetcar loading platforms and lights of any description employed to distinguish same, except that a permanent type of platform may be constructed from appropriations contained in this Act for street improvements when plans and locations thereof are approved by the Public Utilities Commission and the Director of Vehicles and Traffic: *Provided further*, That the street-railway company shall after construction maintain, mark, and light the same at its expense: *Provided further*, That fees from parking meters shall be deposited to the credit of the highway fund: *Provided further*, That the Commissioners are authorized and directed to designate, reserve, and properly mark appropriate and sufficient parking spaces on the streets adjacent to all public buildings in the District for the use of Members of Congress engaged on public business: *Provided further*, That the incumbent on July 1, 1944, of the authorized position of Registrar of Titles and Tags, whose duties shall be as prescribed in the District of Columbia Appropriation Act, 1945, shall hereafter be continued for compensation purposes in grade 9 of the clerical, administrative, and fiscal service under the Classification Act of 1923, as amended.

Division of Trees and Parking (payable from highway fund): For necessary expenses for the Division of Trees and Parking, \$190,000.

Reimbursement of other appropriations (payable from highway fund): There are hereby authorized to be paid from the highway fund to other appropriations for the District of Columbia the following sums: \$9,775 to "General administration" (Office of Corporation Counsel); \$25,708 to "Fiscal service" (Collector's Office, \$8,463; Auditor's Office, \$12,720; Purchasing Division, \$4,525); \$4,000 to "Salaries and expenses, Office of Chief Clerk"; \$8,797 to "Operating expenses, Office of Superintendent of District Buildings"; \$2,028 to "Operating expenses, Electrical Division"; \$924,692 to "Metropolitan Police"; and \$25,000 to "National Capital Parks"; in all, \$1,000,000.

Refunding erroneous collections (payable from highway fund): To enable the Commissioners to refund collections erroneously covered into the Treasury during the present and past three fiscal years to the credit of the highway fund, \$1,500: *Provided*, That this appropriation shall not be available for refunds authorized by section 10 of the Act of April 23, 1924.

Operating expenses, Refuse Division: For expenses necessary for collection and disposal of refuse and street cleaning, including repair and maintenance of plants, buildings, and grounds; and fencing of public and private property designated by the Commissioners as public dumps; \$3,178,000: *Provided*, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business or from apartment houses of four or more apartments having a central heating system, or from any building or connected group of buildings operated as a rooming, boarding, or lodging house having a total of more than twenty-five rooms.

60 Stat. 810.  
5 U. S. C. § 55a.

D. C. Code, Supp.  
V, §§ 40-801 to 40-809.

Streetcar loading  
platforms.

Fees from parking  
meters.  
Parking spaces for  
Members of Congress.

58 Stat. 527.  
D. C. Code, Supp.  
V, § 40-603a.  
42 Stat. 1488.  
5 U. S. C. § 661 et  
seq.

*Ante*, p. 244.

*Ante*, p. 425.

43 Stat. 108.  
D. C. Code § 47-  
1910.

*Ante*, p. 359.  
*Ante*, p. 244.



Capital outlay, Refuse Division: For an additional amount for construction of proposed incinerator numbered 3 for refuse (at a total cost not to exceed \$1,160,000), an additional amount for construction of proposed refuse transfer station (at a total cost not to exceed \$706,000), and for beginning a garage and shops building (at a total cost not to exceed \$731,000) in parcel 141/13, including \$11,248 for construction services, \$560,700; and the Commissioners are authorized in their discretion, if they deem it advantageous to the District of Columbia, to enter into a contract or contracts for the incinerator numbered 3 and the garage and shops building as a single project at a total cost not to exceed in the aggregate the limits of cost heretofore specified for both projects.

*Ante*, p. 244.

Operating expenses, Sewer Division: For expenses necessary for operating the District's system of sewage disposal; cleaning and repairing sewers and basins; operation and maintenance of the sewage pumping service and sewage treatment plant, including repairs to equipment, machinery, and structures; maintenance of public convenience stations; control and prevention of the spread of mosquitoes in the District of Columbia; and for contribution of the District of Columbia to the expenses of the Interstate Commission on the Potomac River Basin in accordance with Act of July 11, 1940 (54 Stat. 748), \$5,400; \$1,140,000.

Interstate Commission on Potomac River Basin.  
33 U. S. C. § 567b.

*Ante*, p. 244.

Capital outlay, Sewer Division: For construction of sewers and receiving basins; for assessment and permit work; for purchase or condemnation of rights-of-way for construction, maintenance, and repair of public sewers, \$1,000; for increasing capacity of the Sewage Treatment Plant, including additional sludge digestion tanks and additional sedimentation tanks, \$1,370,000, to continue available until June 30, 1949; and for the preparation of surveys, plans and specifications in connection with the construction of storm-water sewers, \$25,000; in all, \$3,750,000, and in the preparation of such surveys, plans and specifications, and in increasing capacity of the Sewage Treatment Plant, temporary services as authorized by the Act of August 2, 1946, Public Law 600: *Provided*, That not to exceed \$33,000 of the appropriation for "Capital outlay, Sewer Division", contained in the District of Columbia Appropriation Act, 1945, for the acquisition and development of a site for storage of construction materials; not to exceed \$25,000 of the unexpended balance of the appropriation for "Capital outlay, Sewer Division", for conducting a survey for city relief sewers, contained in the District of Columbia Appropriation Act, 1946; and not to exceed \$44,825 of the appropriation for "Capital outlay, Sewer Division", contained in the District of Columbia Appropriation Act, 1947, for plans and specifications for chemical treatment, sludge drying and incineration facilities at the Sewage Treatment Plant, are continued available until June 30, 1948.

60 Stat. 806.

58 Stat. 528.

59 Stat. 290.

60 Stat. 519.

Operating expenses, Water Division (payable from water fund): For expenses necessary for operation and maintenance of the District of Columbia water distribution system; installing and repairing water meters on services to private residences and business places as may not be required to install meters under existing regulations, said meters to remain the property of the District of Columbia; replacement of old mains, service pipes, and divide valves; water waste and leakage survey; such expenses to include purchase of passenger motor vehicles; and refunding of water rents and other water charges erroneously paid in the District of Columbia, to be refunded in the manner prescribed by law for the refunding of erroneously paid taxes; \$1,905,000, to be available for such refunds of payments made within the past two years.

Capital outlay, Water Division (payable from water fund): For extension of the District of Columbia water distribution system, laying of such service mains as may be necessary under the assessment system, laying mains in advance of paving and installing fire and public hydrants; for construction of a reinforced concrete roof on the ten-million-gallon reservoir located in Fort Stanton Park; thirty-inch trunk line water main from the vicinity of Eleventh and East Capitol Streets to the vicinity of Seventeenth and East Capitol Streets; thirty- and twenty-inch trunk line water main from the vicinity of Fourth and B Streets Northeast, to the vicinity of Seventeenth and D Streets Southeast; pumping facilities at the Anacostia pumping station; rehabilitation of Bryant Street pumping station, including temporary services as authorized by section 15 of the Act of August 2, 1946, Public Law 600, \$300,000, to remain available until expended, and the Commissioners are authorized to contract for such rehabilitation at a total cost not to exceed \$2,000,000; in all, \$1,485,000, which shall be available for reimbursement to the United States for funds advanced in compliance with section 501 of the Act of October 3, 1944 (55 Stat. 791), and of which not to exceed \$305,000 for the construction of trunk lines shall remain available until June 30, 1949.

60 Stat. 810.  
5 U. S. C. § 55a.

58 Stat. 791.  
50 U. S. C. app.  
§ 1671.

Water fund, investment, District of Columbia: The Secretary of the Treasury is authorized to sell United States securities now held for and on account of the water fund of the District of Columbia in such amounts as may be certified by the Commissioners as necessary and credit the proceeds of such sale to said water fund.

#### WASHINGTON AQUEDUCT

Operating expenses (payable from water fund): For expenses necessary for the operation, maintenance, repair, and protection of Washington aqueducts and their accessories, and maintenance of MacArthur Boulevard; including purchase, installation, and maintenance of water meters on Federal services within the District of Columbia; purchase of two passenger motor vehicles; \$1,048,000.

*Ante*, p. 244.  
Maintenance, etc.,  
of aqueducts and  
accessories.

Meters on Federal  
services.

Capital outlay (payable from water fund): For continuing repair and rehabilitation of McMillan filter plant; continuing new conduit repairs; flocculation equipment for existing Dalecarlia coagulation basins; purchase and installation of meters; completing construction of first unit of new mixing and sedimentation basins for the Dalecarlia filter plant; and the District Engineer, Washington District, Corps of Engineers, is authorized to enter into contract or contracts for the completion of the last above-named project at a total cost of not to exceed \$1,158,000; booster pump on third high service from Dalecarlia; advance planning for future capital outlay projects; and for developing increased water supply for the District of Columbia and environs in accordance with House Document 480, Seventy-ninth Congress, second session; and necessary expenses incident thereto; including temporary services as authorized by section 15 of the Act of August 2, 1946, Public Law 600; \$1,128,000, to continue available until expended: *Provided*, That the sum of \$708,000 of the appropriation for "Capital outlay, Washington Aqueduct", contained in the District of Columbia Appropriation Act, 1947, is rescinded as to the circulation facilities in first high and second high reservoirs; a portion of McMillan filter plant improvements; a portion of utility relocations and plant interconnections at Dalecarlia; and the thirty-million-gallon clear-water basin at Dalecarlia (first half) with the accompanying contract authorization.

McMillan filter  
plant, etc.

60 Stat. 810.  
5 U. S. C. § 55a.

60 Stat. 520.

Nothing herein shall be construed as affecting the superintendence and control of the Secretary of War over the Washington Aqueduct,

its rights, appurtenances, and fixtures connected with the same, and over appropriations and expenditures therefor as now provided by law.

#### NATIONAL GUARD

For expenses necessary for the National Guard of the District of Columbia, including compensation to the commanding general at the rate of \$3,600 per annum; attendance at meetings of associations pertaining to the National Guard; expenses of camps, including hire of horses for officers required to be mounted, and for the payment of commutation of subsistence for enlisted men who may be detailed to guard or move the United States property at home stations on days immediately preceding and immediately following the annual encampments; damages to private property incident to encampment; reimbursement to the United States for loss of property for which the District of Columbia may be held responsible; cleaning and repairing uniforms, arms, and equipment; instruction, purchase, and maintenance of athletic, gymnastic, and recreational equipment at armory or field encampments; practice marches, drills, and parades; rent of armories, drill halls, and storehouses; care and repair of armories, offices, storehouses, machinery, and dock, including dredging alongside of dock; construction of buildings for storage and other purposes at target range; \$68,600, to be expended under the direction of the commanding general.

#### NATIONAL CAPITAL PARKS

For expenses necessary for the National Capital Parks, including maintenance, care, and improvement of public parks, grounds, fountains, and reservations, propagating gardens and greenhouses, and the tourists' camp on its present site in East Potomac Park under the jurisdiction of the National Park Service; placing and maintaining portions of the parks in condition for outdoor sports, erection of stands, furnishing and placing of chairs, and services incident thereto in connection with national, patriotic, civic, and recreational functions held in the parks, including the President's Cup Regatta, and expenses incident to the conducting of band concerts in the parks; such expenses to include pay and allowances of the United States Park police force; per diem employees at rates of pay approved by the Secretary of the Interior, not exceeding current rates of pay for similar employment in the District of Columbia; uniforming and equipping the United States Park Police force, including \$225 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944; the purchase, issue, operation, maintenance, repair, exchange, and storage of revolvers, uniforms, ammunition, and radio equipment and the rental of teletype service; and the purchase of passenger motor vehicles, bicycles, motorcycles, and self propelled machinery; the hire of draft animals with or without drivers at local rates approved by the Secretary of the Interior; the purchase and maintenance of draft animals, harness, and wagons; \$1,500,000: *Provided*, That not to exceed \$10,000 of the amount herein appropriated may be expended for the erection of minor auxiliary structures.

#### NATIONAL CAPITAL PARK AND PLANNING COMMISSION

For necessary expenses of the National Capital Park and Planning Commission except the acquisition of land (40 U. S. C. 71), including \$80 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944; stenographic reporting service as authorized by section 15 of the Act of August 2, 1946, Public Law 600, \$73,300.

58 Stat. 394.  
39 U. S. C. §§ 321c-  
321h.  
*Post*, p. 450.

43 Stat. 463.  
D. C. Code § 8-102.  
58 Stat. 394.  
39 U. S. C. §§ 321c-  
321h.  
*Post*, p. 450.  
60 Stat. 810.  
5 U. S. C. § 55a.

## NATIONAL ZOOLOGICAL PARK

For expenses necessary for the National Zoological Park, including erecting and repairing buildings; care and improvement of grounds; travel, including travel for the procurement of live specimens; purchase, care, and transportation of specimens; purchase of motorcycles; revolvers and ammunition; purchase of uniforms and equipment for police, and uniforms for keepers and assistant keepers; \$455,400, no part of which sum shall be available for architect's fees or compensation.

## GENERAL PROVISIONS

SEC. 2. Vouchers in payment of obligations incurred by the Health Department and Public Welfare pursuant to the appropriations contained in this Act shall be certified as lawfully payable in the department, board, or office responsible for the incurring of the obligations; thereafter the vouchers shall be audited before payment by or under the jurisdiction only of the Auditor for the District of Columbia and the vouchers as approved may be paid by checks issued by the Disbursing Officer without countersignature.

Vouchers.

SEC. 3. No part of any appropriation contained in this Act or authorized hereby to be expended shall be used to pay the compensation of any officer or employee of the Government of the United States, or of the District of Columbia unless such person is a citizen of the United States, or a person in the service of the United States or the District of Columbia on the date of the approval of this Act who being eligible for citizenship had theretofore filed a declaration of intention to become a citizen or who owes allegiance to the United States. This section shall not apply to citizens of the Commonwealth of the Philippines or nationals of those countries allied with the United States in the prosecution of the war effort.

Citizenship requirement.

SEC. 4. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or the Government of the District of Columbia or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States or the Government of the District of Columbia, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States or the Government of the District of Columbia, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States or the Government of the District of Columbia, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or the Government of the District of Columbia or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States or the Government of the District of Columbia, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined

Exceptions.

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

Affidavit.

Penalty.

not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Maximum amount.

SEC. 5. Whenever in this Act an amount is specified within an appropriation for particular purposes or object of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount which may be expended for said purpose or object rather than an amount set apart exclusively therefor.

Repairs and improvements.

SEC. 6. Work performed for repairs and improvements under appropriations contained in this Act may be by contract or otherwise, as determined by the Commissioners.

Allowances for privately owned automobiles.

SEC. 7. Appropriations in this Act shall be available, when authorized by the Commissioners, for allowances for privately owned automobiles used for the performance of official duties at not to exceed \$264 per annum for each automobile, unless otherwise therein specifically provided: *Provided*, That the total expenditures for this purpose shall not exceed \$35,000.

Attendance at meetings.

SEC. 8. Appropriations in this Act shall be available for the payment of dues and expenses of attendance at meetings of organizations concerned with the work of the District of Columbia Government, when authorized by the Commissioners: *Provided*, That the total expenditures for this purpose shall not exceed \$3,500.

Investment in U. S. securities.

SEC. 9. The Commissioners are hereby authorized in their discretion to invest and reinvest at any time in United States Government securities, with the approval of the Secretary of the Treasury, any part of the general fund, highway fund, water fund, or trust funds, of the District of Columbia, not needed to meet current expenses during the fiscal year, to deposit the interest accruing from such investments to the credit of the fund from which the investment was made, and the Secretary of the Treasury is authorized to sell or exchange such securities for other Government securities, and deposit the proceeds to the credit of the appropriate fund.

Funds for personal services and printing and binding.

SEC. 10. Appropriations for necessary expenses shall be available for personal services and printing and binding and, when authorized by the Commissioners or by the purchasing officer and the auditor, acting for the Commissioners, printing and binding may be performed by the District of Columbia Division of Printing and Publications without reference to fiscal-year limitations.

68 Stat. 530.  
D. C. Code, Supp.  
V, § 7-1235.

SEC. 11. The limitation of \$42,000 contained in section 2 of the District of Columbia Appropriation Act, 1945, is hereby increased to \$55,000.

Short title.

SEC. 12. This Act may be cited as the "District of Columbia Appropriation Act, 1948".

Approved July 25, 1947.

#### [CHAPTER 326]

#### AN ACT

July 25, 1947  
[S. 1508]  
[Public Law 238]

To amend the Act entitled "An Act to express the intent of the Congress with reference to the regulation of the business of insurance", approved March 9, 1945 (59 Stat. 33).

Regulation of insurance.

59 Stat. 33.  
15 U. S. C. §§ 1011-1015.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act entitled "An Act to express the intent of the Congress with reference to the regulation of the business of insurance", approved March 9, 1945, is amended by striking out the words "January 1, 1948", wherever they appear in such Act, and inserting in lieu thereof the following: "June 30, 1948".

Approved July 25, 1947.

## [CHAPTER 327]

## JOINT RESOLUTION

To terminate certain emergency and war powers.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following statutory provisions are hereby repealed:*

Act of June 10, 1942 (56 Stat. 351) ;

Section 207, title II, Act of September 21, 1944 (58 Stat. 736) ;

Act of March 5, 1940 (54 Stat. 45), as amended ;

Section 609, Act of July 1, 1944 (58 Stat. 714, ch. 373) ;

Act of October 1, 1942 (56 Stat. 763, ch. 573) ;

Sections 2, 3, and 4, Act of July 8, 1942 (56 Stat. 649) ;

Act of April 16, 1943 (57 Stat. 65), as amended ;

Act of September 29, 1942 (56 Stat. 760) ;

Section 61 (b) of the National Defense Act of June 3, 1916, as added by the Act of June 26, 1944 (58 Stat. 359, ch. 279) ;

Section 21 of the Act of February 16, 1914 (38 Stat. 289) ;

Act of January 15, 1942 (56 Stat. 5, ch. 3) ;

Act of June 3, 1941 (55 Stat. 238, ch. 162), as amended ;

The provision in the Act of June 11, 1940, making appropriations for the Navy Department for the fiscal year 1941, under the heading "Bureau of Supplies and Accounts, Pay, Subsistence, and Transportation of Naval Personnel", prohibiting the payment of active-duty pay and allowances to retired officers except during the war or national emergency (54 Stat. 265, 275) ;

The provision in the Act of February 7, 1942 (56 Stat. 68), under the heading "Marine Corps—Pay of officers, active list", relating to the availability of funds for the payment of active-duty pay to retired officers ;

Section 2 of the Act of February 15, 1879 (20 Stat. 295) ;

Act of May 29, 1945 (59 Stat. 226, ch. 137) ;

The provisions under the headings "Bureau of Engineering" and "Bureau of Construction and Repair", in the Act of June 11, 1940 (54 Stat. 293), authorizing the Secretary of the Navy to exceed the statutory limit on repair and alterations to vessels commissioned or converted to meet the existing emergency ;

Act of November 29, 1940 (54 Stat. 1219, ch. 923), as extended by the Act of May 15, 1945 (59 Stat. 168, ch. 127) ;

The proviso of the Act of February 7, 1942 (56 Stat. 63), that no officer of the Navy or Marine Corps who has been or hereafter may be adjudged fitted shall be involuntarily retired prior to six months subsequent to the termination of the existing national emergency ;

Act of December 2, 1944 (58 Stat. 793) ;

Act of February 21, 1942 (56 Stat. 97, ch. 107) ;

Act of April 9, 1943 (57 Stat. 61, ch. 40) ;

The proviso of the Act of June 26, 1940 (54 Stat. 599), under the heading "Council of National Defense", that until such time as the President shall declare the present emergency at an end the head of any department or independent establishment of the Government, notwithstanding the provisions of existing law, may employ, with the approval of the President, any person of outstanding experience and ability at a compensation of \$1 per annum ;

The provision of the Act of July 2, 1942 (56 Stat. 548), as amended, which permits the Secretary of the Interior, or any official to whom he may delegate such authority, to appoint, without regard to the Classification Act of 1923, as amended, skilled and unskilled laborers, mechanics, and other persons engaged in a recognized trade or craft, including foremen of such groups ;

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[S. J. Res. 123]  
[Public Law 239]

## Repeals.

21 U. S. C. § 71 note.

16 U. S. C. § 565.

10 U. S. C. § 310

note. 42 U. S. C. § 204

note. 10 U. S. C. § 1043

note. 10 U. S. C. §§ 299b-

299d. 10 U. S. C. § 92a;

34 U. S. C. § 21a.

32 U. S. C. § 194(b).

34 U. S. C. § 851.

34 U. S. C. § 774.

34 U. S. C. § 1054

note.

34 U. S. C. § 21.

34 U. S. C. § 222

note.

10 U. S. C. § 101

note.

34 U. S. C. note

prec. § 381.

10 U. S. C. § 945

note. 5 U. S. C. § 73c-1

note. 34 U. S. C. § 602 and

note. Employment of per-

sons at \$1 per annum.

42 Stat. 1488.  
5 U. S. C. §§ 661-674.

5 U. S. C. note prec.  
§ 745a.

39 U. S. C. § 321b  
note.

39 U. S. C. § 321b  
note.

39 U. S. C. § 226b.

39 U. S. C. § 321g.

22 U. S. C. § 415 (b).

16 U. S. C. § 631r.

15 U. S. C. note  
prec. § 715.

47 U. S. C. § 353  
note.

47 U. S. C. § 606 (h).

49 U. S. C. § 481  
note.

46 U. S. C. §§ 1160,  
1194 notes.

50 U. S. C. app.  
§ 1251.

46 U. S. C. §§ 1128-  
1128g.

40 U. S. C. § 326  
note.

50 U. S. C. app. §§  
1251, 1261, 1262; 22  
U. S. C. § 420.

50 U. S. C. app. §§  
1281-1286.

46 U. S. C. § 1128h.

46 U. S. C. § 1128e.

50 U. S. C. app. §§  
751, 752.

50 U. S. C. app.  
§ 1181; 40 U. S. C.  
§ 270a note.

14 U. S. C. §§ 381-  
383, 265, 301, 302, 306,  
307, 310, 312, 121c.

15 U. S. C. § 323.

50 U. S. C. app. § 618.

50 U. S. C. app.  
§ 1112.

50 U. S. C. app.  
§§ 756-759.

48 U. S. C. § 518a.

30 U. S. C. § 223 note.

23 U. S. C. § 105.

Road projects under  
construction.

Act of December 22, 1942 (56 Stat. 1070, ch. 801);

The provisions under the headings "Department of Agriculture, Surplus Marketing Administration", and "Department of the Interior, Government in the Territories", contained in the Act of December 23, 1941 (55 Stat. 856-857);

Section 301 of the Act of September 9, 1940 (54 Stat. 884), as amended;

The provision in the First Deficiency Appropriation Act of 1942, under the heading "Selective Service System", relating to the presentation of quarterly reports to the Postmaster General (56 Stat. 101);

Act of July 9, 1943 (57 Stat. 390, ch. 209);

Section 5 of the Act of June 28, 1944 (58 Stat. 394);

The provision in the Interior Department Appropriation Act, 1945, under the heading "Water conservation and utilization projects", relating to the use of the services or labor of prisoners of war, enemy aliens, and American-born Japanese (58 Stat. 463, 491);

Section 6 (b) of the Act of March 11, 1941 (55 Stat. 33), as amended;

Section 19 of the Act of February 26, 1944 (58 Stat. 104);

The provision of section 8 (b) of the Act of July 30, 1941 (55 Stat. 611), as amended, conferring certain authority upon the President;

Act of December 17, 1941 (55 Stat. 808, ch. 588), as amended;

Section 606 (h) of the Communications Act of 1934, added by the Act of December 29, 1942 (56 Stat. 1096);

Act of April 29, 1942 (56 Stat. 265, ch. 266);

Act of May 14, 1940 (54 Stat. 216, ch. 201), as amended;

Act of June 11, 1940 (54 Stat. 306, ch. 327), as amended;

Act of June 29, 1940 (54 Stat. 689, ch. 447), as amended;

Act of October 10, 1940 (54 Stat. 1092, ch. 838), as amended;

Act of May 2, 1941 (55 Stat. 148), as amended;

Act of July 14, 1941 (55 Stat. 591, ch. 297), as amended;

Section 3 (i) of the Act of March 24, 1943 (57 Stat. 45, 51);

Section 1 of the Act of April 24, 1944 (58 Stat. 216), except that any suspension of the statute of limitations heretofore provided for in an agreement entered into under the authority of such section shall continue in effect for the period provided in such agreement, but in no case longer than two years after the date of enactment of this joint resolution;

Act of April 11, 1942 (56 Stat. 217);

Section 3 of the Act of July 11, 1941 (55 Stat. 585);

Act of November 23, 1942 (56 Stat. 1020), as amended;

Act of October 29, 1942 (56 Stat. 1012);

Section 303 of the Act of December 18, 1941 (55 Stat. 840);

Section 12 of the Act of June 11, 1942 (56 Stat. 357), except that outstanding certificates issued thereunder shall continue in effect for a period of six months from the date of enactment of this joint resolution unless sooner revoked;

Act of July 12, 1943 (57 Stat. 520);

Act of June 5, 1942 (56 Stat. 323, ch. 346);

Act of January 2, 1942 (55 Stat. 881, ch. 646);

Act of December 24, 1942 (56 Stat. 1080, ch. 812);

Act of July 8, 1943 (57 Stat. 390, ch. 200);

The provisions of the Act of November 19, 1941 (55 Stat. 765), as amended, relating to the availability for obligation of funds appropriated pursuant to said Act, as amended, except that such funds shall remain available for the completion of access road projects which are now under construction.

SEC. 2. Notwithstanding the termination date or termination period heretofore provided therefor by law, the following statutory provisions are repealed effective upon the date hereinafter specified, or upon the expiration of the period hereinafter specified, and shall remain in full force and effect until such date or until the expiration of such period. Such statutory provisions are hereby amended accordingly:

a. Repeal effective July 1, 1948:

Act of July 8, 1941 (55 Stat. 579, ch. 278), and the Act of June 22, 1943 (57 Stat. 161, ch. 137);

Section 2 of the Act of November 17, 1941 (55 Stat. 764);

Act of July 1, 1943 (57 Stat. 371), and the Act of May 14, 1942 (56 Stat. 278), as amended;

Act of September 22, 1941 (55 Stat. 728, ch. 414), as amended: *Provided, however*, That so long as the Secretary of War deems it necessary in the interest of national defense, each man who completed a course of medical instruction at Government expense in a university, college or other similar institution of learning, pursuant to the provisions of the Act of February 6, 1942 (56 Stat. 50, ch. 40), as amended, shall not be relieved from active duty until the completion of two years of active service as a commissioned officer, exclusive of any periods during which he served as an interne;

The provision in the Second Supplemental National Defense Appropriation Act, 1943, under the heading "Federal Works Agency, Public Buildings Administration", relating to the authority of the Commissioner of Public Buildings to designate employees as special policemen (56 Stat. 990, 1000);

Act of July 29, 1941 (55 Stat. 606, ch. 326).

b. Repeal effective six months after the date of enactment of this joint resolution:

Act of January 27, 1942 (56 Stat. 19, ch. 21, as amended);

Section 610 (c) of the Act of July 1, 1944 (58 Stat. 682, 714);

Act of October 10, 1942 (56 Stat. 780, ch. 588);

Act of June 28, 1944 (58 Stat. 463, ch. 297);

Act of July 9, 1943 (57 Stat. 391, ch. 213); as amended.

c. Repeal effective one year after the date of enactment of this joint resolution:

Section 605 (c) of the Act of July 1, 1944 (58 Stat. 682, 713).

SEC. 3. In the interpretation of the following statutory provisions, the date when this joint resolution becomes effective shall be deemed to be the date of the termination of any state of war heretofore declared by the Congress and of the national emergencies proclaimed by the President on September 8, 1939, and on May 27, 1941;

Act of July 1, 1941 (55 Stat. 498, as amended);

Act of February 28, 1945 (59 Stat. 9, ch. 15);

Section 86 of the Act of June 3, 1916 (39 Stat. 204);

Act of July 2, 1917 (40 Stat. 241), as amended;

Section 16 of the Act of June 10, 1920 (41 Stat. 1072);

Act of February 26, 1925 (43 Stat. 984, ch. 340);

Act of April 12, 1926 (44 Stat. 241);

Act of May 29, 1926 (44 Stat. 677, ch. 424);

Section 20 of the Act of May 18, 1933 (48 Stat. 68);

The provision of the Act of May 15, 1936 (49 Stat. 1292), which authorizes the United States to control and operate the Little Rock Municipal Airport without rental or other charge in time of national emergency;

Act of May 27, 1936 (49 Stat. 1387);

Provisions authorizing the assumption of possession and control of the areas specified in the following statutes or parts of statutes:

Effective dates of repeal, etc.

July 1, 1948.

47 U. S. C. § 353.

22 U. S. C. § 446 note.

50 U. S. C. app. §§ 301, 1551-1555; 10 U. S. C. § 1711.

10 U. S. C. § 484 note.

Men who completed course of medical instruction.

10 U. S. C. § 535 note.

40 U. S. C. § 101 note.

10 U. S. C. § 571 note.

Six months after enactment date.

46 U. S. C. § 883 note.

42 U. S. C. § 249 note.

34 U. S. C. § 902a note.

39 U. S. C. § 160 note.

39 U. S. C. § 133 note.

One year after enactment date.

5 U. S. C. § 799.

Date of termination of war, etc., in interpretation of provisions.

15 U. S. C. §§ 713,

713a-1, 713a-4, 713a-8.

7 U. S. C. §§ 1334,

1344, 1358 notes.

32 U. S. C. § 39.

50 U. S. C. § 171.

16 U. S. C. § 809.

16 U. S. C. § 821s.



- Section 3 of the Act of June 21, 1938 (52 Stat. 834); Act of June 20, 1936 (49 Stat. 1557, ch. 636); Act of August 19, 1937 (50 Stat. 696, ch. 697); section 4 of the Act of February 28, 1933 (47 Stat. 1368); Act of December 26, 1941 (55 Stat. 863, ch. 633); Act of January 26, 1942 (56 Stat. 19); Section 120 of the Act of June 3, 1916 (39 Stat. 213, 214); Provision of Naval Appropriation Act for the fiscal year 1917 (Act of August 29, 1916, 39 Stat. 602), under the heading "Lighthouse Service", authorizing the President to transfer vessels, equipment, stations, and personnel of the Lighthouse Service (now Coast Guard under Reorganization Plan Numbered II) to the jurisdiction of the Navy or War Department; Section 16 of the Act of May 22, 1917 (40 Stat. 87); Provision of chapter XVIII of the Act of July 9, 1918 (40 Stat. 892), as amended by the Act of November 21, 1941 (55 Stat. 781, ch. 499), extending the time for examination of accounts of Army disbursing officers; Section 69 of the National Defense Act of June 3, 1916, as amended by section 7 of the Act of June 15, 1933 (48 Stat. 156); The provision authorizing the extension of enlistments in the Regular Army or the Enlisted Reserve Corps, in force at the outbreak of war or entered into during its continuation, for six months after its termination, contained in the Act of March 15, 1940 (54 Stat. 53, ch. 61); Act of May 14, 1940 (54 Stat. 213); Section 2 of the Act of December 13, 1941 (55 Stat. 799, ch. 571); Chapter II, articles 2 (d), 48, 58, 59, 74, 75, 76, 77, 78, 79, 104, and 119 of the Act of June 4, 1920 (41 Stat. 759, ch. 227); Paragraph 3 of section 127a as added to the Act of June 3, 1916 (39 Stat. 166), by section 51 of the Act of June 4, 1920 (41 Stat. 759, ch. 227); Revised Statutes, 1166; The fourth proviso of section 18 of the Act of February 2, 1901 (31 Stat. 748, ch. 192); Provision of the Act of July 9, 1918 (40 Stat. 861), making appropriations for the Army for the fiscal year 1919, under the heading "Barracks and Quarters", authorizing the Secretary of War to rent or lease buildings in the District of Columbia necessary for military purposes; Section 111 of the Act of June 3, 1916 (39 Stat. 211), as amended; Section 363 of title III of the Act of July 1, 1944 (58 Stat. 682, ch. 373); Act of December 26, 1941 (55 Stat. 862, ch. 629), as amended by the Act of December 23, 1944 (ch. 720, 58 Stat. 923); Act of February 20, 1942 (56 Stat. 94); Provision of Naval Appropriation Act for the fiscal year 1917 (Act of August 29, 1916, 39 Stat. 581), under heading "Officers for Engineering Duty Only", authorizing the Secretary of the Navy to recall to active duty enlisted men on furlough without pay to complete the enlistment period; Act of August 18, 1941 (55 Stat. 629); Section 2 of the Act of December 13, 1941 (55 Stat. 799, ch. 570); Revised Statutes, 1420, as amended by section 2 of the Act of January 20, 1944 (58 Stat. 4, ch. 2); Provision of the Act of August 29, 1916 (39 Stat. 614), which authorizes Marine Corps training camps for the instruction of citizens to be in existence for a period longer than six weeks in each fiscal year in time of actual or threatened war;
- 50 U. S. C. § 121 *et seq.*  
 22 U. S. C. § 452.  
 50 U. S. C. § 80.  
 33 U. S. C. § 758 note.  
 53 Stat. 1432.  
 5 U. S. C. § 133t note.  
 33 U. S. C. §§ 854-858.  
 31 U. S. C. §§ 80, 80a.  
 39 Stat. 200.  
 32 U. S. C. § 124.  
 Extension of enlistments.  
 10 U. S. C. §§ 421, 423-425.  
 10 U. S. C. § 634.  
 50 U. S. C. app. § 732.  
 10 U. S. C. §§ 1473 (d), 1519, 1530, 1531, 1546-1551, 1576, 1591.  
 10 U. S. C. § 992.  
 10 U. S. C. § 194.  
 10 U. S. C. § 107.  
 40 U. S. C. § 37.  
 32 U. S. C. § 81.  
 42 U. S. C. § 266.  
 31 U. S. C. § 80b.  
 31 U. S. C. § 80c.  
 34 U. S. C. § 191.  
 34 U. S. C. §§ 181, 692, 201a, 181a, 692a;  
 37 U. S. C. § 16a; 14 U. S. C. § 35a.  
 34 U. S. C. § 201b.  
 34 U. S. C. § 163.  
 34 U. S. C. § 831.

Revised Statutes, 1624, article 4, paragraphs 6, 7, 12-20, and article 5;

Act of March 22, 1943 (57 Stat. 41);

Revised Statutes, 1462-1464;

Provision of the Naval Appropriation Act for the fiscal year ending June 30, 1917 (Act of August 29, 1916, 39 Stat. 591), under the heading "Fleet Naval Reserve", authorizing the Secretary of the Navy to call retired enlisted men into active service;

Provisions contained in the Act of July 1, 1918 (40 Stat. 717), as amended (14 U. S. C. 164, 165), which authorize commissioned or warrant officers on the retired list to be ordered to active duty and to be temporarily advanced on the retired list, so far as such provisions pertain to personnel of the Coast Guard;

Act of April 8, 1946 (Public Law 337, Seventy-ninth Congress);

Section 4 (c) of the Act of August 10, 1946 (Public Law 720, Seventy-ninth Congress);

Revised Statutes, 1436;

First proviso of section 18 of the Act of May 22, 1917 (40 Stat. 84, 89);

Act of October 6, 1917 (40 Stat. 393, ch. 93), as amended;

Section 11 (c) of the Act of June 23, 1938 (52 Stat. 948);

Section 10 of the Act of June 14, 1940 (54 Stat. 394);

Section 18 of the Act of August 2, 1946 (Public Law 604, Seventy-ninth Congress);

Provisions of the Act of March 4, 1917 (39 Stat. 1192-1193); the Act of May 13, 1942 (56 Stat. 277, ch. 304); sections 3 and 4 of the Act of July 9, 1942 (56 Stat. 656); the Act of June 17, 1943 (57 Stat. 156, ch. 128); the Act of June 26, 1943 (57 Stat. 209); and the Act of May 31, 1944 (58 Stat. 265, ch. 218), which authorize the President or the Secretary of the Navy to acquire, through construction or conversion, ships, landing craft and other vessels;

Section 10 of the Act of May 14, 1930 (46 Stat. 329, 332);

Act of May 29, 1930 (46 Stat. 479, ch. 350);

Section 7 of the Act of April 26, 1898 (30 Stat. 365);

Act of March 7, 1942 (56 Stat. 143-148, ch. 166), as amended;

Sections 3 and 12 of the Act of February 21, 1946 (Public Law 305, Seventy-ninth Congress);

Section 1 of the Act of July 20, 1942 (56 Stat. 662, ch. 508), as amended;

Act of December 17, 1942 (56 Stat. 1056, ch. 763);

Act of March 17, 1916 (39 Stat. 36, ch. 46);

Act of April 11, 1898 (30 Stat. 737);

Act of March 3, 1925 (43 Stat. 1109, 1110);

Section 1 of the Act of July 2, 1940 (54 Stat. 724, ch. 516);

Section 4 of the Act of July 7, 1943 (57 Stat. 388);

Act of May 18, 1946 (Public Law 385, Seventy-ninth Congress);

Section 2 of the Act of August 8, 1946 (Public Law 697, Seventy-ninth Congress);

Section 4 (b) of the Act of July 2, 1940 (54 Stat. 712, 714);

Act of December 17, 1942 (56 Stat. 1052);

Section 3 of the Act of June 27, 1944 (58 Stat. 387, ch. 287);

Act of December 23, 1944 (58 Stat. 926, ch. 726);

Section 1 of the Act of December 7, 1945 (59 Stat. 603, 604);

Act of December 10, 1942 (56 Stat. 1045);

Act of December 26, 1941 (55 Stat. 858), as amended, except that the Commissioners of the District of Columbia may continue to exercise the authority under sections 7 and 9 of such Act, as amended, until not later than June 30, 1948, and the provisions of sections 11 and 12 of such Act, as amended, shall continue to apply to cases in which the authority under sections 7 and 9 is exercised;

34 U. S. C. § 1200, art. 4, pars. 6, 7, 12-20, art. 5.

34 U. S. C. § 1201.  
34 U. S. C. §§ 421, 424, 425.

34 U. S. C. § 433.

60 Stat. 86.

34 U. S. C. § 428;  
14 U. S. C. § 162b.

60 Stat. 995.

34 U. S. C. § 339 (c).  
34 U. S. C. § 225.

34 U. S. C. § 213.

34 U. S. C. § 1200, art. 65.  
34 U. S. C. § 311.

60 Stat. 855.

34 U. S. C. § 474.

50 U. S. C. § 82.

34 U. S. C. §§ 498-4, 498a-4 and notes.

34 U. S. C. §§ 498c-7, 498c-8 notes.

34 U. S. C. §§ 498c-11, 498d-2 notes.

34 U. S. C. § 498c-13 note.

10 U. S. C. § 694.

50 U. S. C. app. §§ 1001-1017; 5 U. S. C. §§ 693, 691 and notes, 715; 34 U. S. C. § 943.

60 Stat. 27, 29.

50 U. S. C. app. § 778 and note.  
10 U. S. C. § 1422a.

10 U. S. C. § 1423b and note.

50 U. S. C. § 178.

16 U. S. C. §§ 437-440.

48 U. S. C. § 1381.

42 U. S. C. § 1553.

60 Stat. 203.

60 Stat. 958.

42 U. S. C. § 1574.

5 U. S. C. § 189a.

5 U. S. C. § 30b.

5 U. S. C. § 852.

5 U. S. C. § 731.

39 U. S. C. § 49.

44 U. S. C. §§ 311 and note, 311a.

D. C. Code, Supp. V, §§ 6-1001 to 6-1012.

55 Stat. 859.

D. C. Code, Supp. V, §§ 6-1007, 6-1009.

56 Stat. 741.  
D. C. Code, Supp. V, §§ 6-1011, 6-1012.

- 60 Stat. 9.  
42 U. S. C. § 1543 (c).
- 59 Stat. 630.  
38 U. S. C. §§ 694 (a),  
694h.  
60 Stat. 979.  
42 U. S. C. § 410.
- 38 U. S. C. § 696 (a).  
31 U. S. C. § 224i-1  
note.  
15 U. S. C. note  
prec. § 715.  
47 U. S. C. § 606.  
46 U. S. C. §§ 835-  
840, 842.  
46 U. S. C. §§  
1132 (h), 1202 (d),  
1242 (a).  
46 U. S. C. § 225.  
50 U. S. C. app.  
§ 753c.  
60 Stat. 905, 906.  
50 U. S. C. app. §§  
1471 (b), 1472 (a), (b),  
(c).  
14 U. S. C. § 1 *et seq.*
- 14 U. S. C. §§ 3, 7.
- 50 U. S. C. § 191.
- 14 U. S. C. § 95.
- 14 U. S. C. §§ 301-315.  
14 U. S. C. §§ 72-74.
- 10 U. S. C. §§ 1510,  
1511.  
8 U. S. C. §§ 801, 803.  
31 U. S. C. § 71a.  
40 U. S. C. § 325.  
40 U. S. C. § 326.  
40 U. S. C. § 276a-5.  
24 U. S. C. § 192.
- 42 U. S. C. § 201  
note.  
38 U. S. C. § 701,  
note foll. § 739.  
38 U. S. C. note foll.  
§ 739.  
59 Stat. 542.  
60 Stat. 526.  
38 U. S. C. § 488  
note, 488a.  
43 U. S. C. § 315q.  
38 U. S. C. note foll.  
§ 739.  
50 U. S. C. app. §§  
540-554.  
50 U. S. C. app.  
§ 584.
- Proviso of section 303 (c) of the Act of October 14, 1940, as added by the Act of February 18, 1946 (Public Law 301, Seventy-ninth Congress);
- Sections 500 (a) and 507 of the Act of June 22, 1944 (58 Stat. 291, ch. 268), as amended;
- Section 201 of the Act of August 10, 1946 (Public Law 719, Seventy-ninth Congress);
- Section 700 (a) of the Act of June 22, 1944 (58 Stat. 295);
- Act of July 31, 1945 (59 Stat. 511, ch. 338);
- Act of July 30, 1941 (55 Stat. 610);
- Section 606 of the Act of June 19, 1934 (48 Stat. 1104), as amended;
- Section 4 of the Act of July 15, 1918 (40 Stat. 901), as amended;
- Sections 302 (h), 712 (d) and 902 (a) of the Act of June 29, 1936 (49 Stat. 1993, 2010, and 2015), as amended;
- Section 2 of the Act of October 22, 1914 (38 Stat. 765, ch. 334);
- section 4 of the Act of May 10, 1943 (57 Stat. 82);
- Section 1 (b) and subsections 2 (a), 2 (b), and 2 (c) of the Act of August 8, 1946 (Public Law 660, Seventy-ninth Congress);
- Section 1 of the Act of January 28, 1915 (38 Stat. 800-801), as amended;
- Provision of Naval Appropriation Act for the fiscal year 1917 (Act of August 29, 1916, 39 Stat. 600), under heading "Coast Guard", subjecting personnel of the Coast Guard operating as part of the Navy to the laws governing the Navy;
- Section 1 of title II of the Act of June 15, 1917 (40 Stat. 220);
- Provision of Naval Appropriation Act for the fiscal year 1917 (Act of August 29, 1916, 39 Stat. 601), under heading "Coast Guard", authorizing the Secretary of the Navy to man any Coast Guard station or maintain any house of refuge as a Coast Guard station;
- Title II of the Act of February 19, 1941 (55 Stat. 11), as amended;
- Act of December 16, 1941 (55 Stat. 807, ch. 586);
- Provisions appearing under the heading "Limitations upon Prosecutions", relating to crimes committed two years before arraignment, except for desertion committed in time of war, of the Act of June 4, 1920 (41 Stat. 794);
- Act of July 1, 1944 (58 Stat. 677, ch. 368);
- Section 1 of the Act of October 9, 1940 (54 Stat. 1061, ch. 788);
- Section 2 of the Act of June 19, 1912 (37 Stat. 138);
- Provision of Naval Appropriation Act for the year 1918 (Act of March 4, 1917, 39 Stat. 1192), authorizing the President to suspend provisions of the eight-hour law to contracts with the United States;
- Section 6 of the Act of March 3, 1931, as added by the Act of August 30, 1935 (49 Stat. 1013, ch. 825);
- Provision of Naval Appropriation Act for the fiscal year 1917 (Act of August 29, 1916, 39 Stat. 558), under heading "Pay Miscellaneous", for the admission for treatment of interned persons and prisoners of war, under the jurisdiction of the Navy Department, to the Government Hospital for the Insane;
- Section 604 of the Act of July 1, 1944 (58 Stat. 712, ch. 373);
- Act of March 24, 1943 (57 Stat. 43, ch. 22), as amended;
- Section 400 (b) of the Act of June 22, 1944 (58 Stat. 288), as amended, except paragraph 12 of such section;
- Act of July 11, 1946 (Public Law 499, Seventy-ninth Congress);
- Act of July 9, 1942 (56 Stat. 654);
- Act of June 19, 1936 (49 Stat. 1535);
- Act of December 19, 1941 (55 Stat. 844), as amended.
- SEC. 4. For the purposes of article IV of the Act of October 17, 1940 (54 Stat. 1183-1186), as amended, the present war shall be deemed to have terminated within the meaning of section 604 (54 Stat. 1191) of the said Act, as of the effective date of this joint resolution.

Approved July 25, 1947.

## [CHAPTER 328]

## AN ACT

To authorize the payment of certain sums to jobbers in connection with their logging of timber for the Menominee Indians on the Menominee Reservation during the logging season 1934-1935, and for other purposes.

July 25, 1947  
[H. R. 2484]  
[Public Law 240]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is hereby authorized and directed to pay to the Menominee Indian Mills to the credit of the several accounts of Herman J. Fredenberg; Walter J. Peters, Senior; Charles J. Frechette; Joe Gristeau, Junior; James Tebeau; Joe Caldwell, Senior; John R. Pecore; Roy Oshkosh; Louis Tucker, Junior; James Warrington; Alexander Waupoose; Bernard Grignon; Earl Vaughn; Louis Washinawatok; Reuben Long; Nahpone Perote; George Smith; Paul Vigue, Senior, and Louis Vigue, operating as a partnership; Dan Wescott and Paul Vigue, Junior, operating as a partnership; and the estates of George Irving; Louis Kinepoway; John Tucker, Senior; Dominic Worden; John Mosehart; George Caldwell, John Okimosh; Anton Shawanometta; Mrs. Lillian Oshkosh, Louis Corn out of the Menominee 4 per centum fund, the sum of \$1 for each one thousand feet of timber respectively logged by said parties on the Menominee Reservation during the logging season of 1934-1935 according to the schedule prepared by the Menominee Indian Mills which schedule shall be approved by the general council of the Menominee Tribe. Said amounts shall be credited against the amounts, if any, respectively owed the Menominee Indian Mills by said parties without taking into account any procedural defenses of a personal nature which might have been interposed in an action at law to collect such debts, and the balance, if any, shall be paid to said parties or their heirs: *Provided, however,* That the foregoing amounts shall be in full payment of any and all claims which said parties may claim to have by reason of promises made by officers of the Menominee Indian Mills for the logging of timber during the logging season of 1934-1935.

Menominee Indian  
Mills.  
Payment for logging  
of timber.

Settlement of  
claims.

SEC. 2. The Secretary of the Interior, or his duly authorized representative, is hereby authorized with the concurrence of the general council of the Menominee Indian Tribe to cancel any balance still due to the Menominee Indian Mills by any of the jobbers listed in section 1, after the amount allowable under the said section has been credited, if in his judgment the balance of the claim is uncollectible or inequitable.

Cancellation of bal-  
ance due.

SEC. 3. The said Secretary, or his duly authorized representative, with the concurrence of the advisory council of the Menominee Indian Tribe may cancel other obligations due or which may become due to the Menominee Indian Mills when in his judgment such obligations are uncollectible.

Cancellation of  
other obligations.

Approved July 25, 1947.

## [CHAPTER 329]

## AN ACT

To amend Public Law 301, Seventy-ninth Congress, approved February 18, 1946, so as to extend the benefits of the Missing Persons Act, approved March 7, 1942 (56 Stat. 143), as amended, to certain members of the organized military forces of the Government of the Commonwealth of the Philippines.

July 25, 1947  
[H. R. 3191]  
[Public Law 241]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sentence under the heading entitled "Transfer of Appropriations", contained in title II of the First Supplemental Surplus Appropriation Rescission Act, 1946 (Public Law 301, Seventy-ninth Congress, approved

60 Stat. 14.  
38 U. S. C. § 38.

50 U. S. C. app. §§  
1001-1017; 5 U. S. C.  
§§ 693 and note, 691,  
715; 34 U. S. C. § 943  
and note.  
*Ante*, p. 453.

60 Stat. 6.

February 18, 1946), is hereby amended by striking out the period at the end of the sentence and inserting the following: “, and (3) the Missing Persons Act, approved March 7, 1942 (56 Stat. 143), as amended.”

SEC. 2. The Secretary of War is authorized to reconsider claims upon which payment has been denied by reason of section 1 of this Act having been omitted from the First Supplemental Appropriation Rescission Act of 1946 (Public Law 301, Seventy-ninth Congress, approved February 18, 1946).

Approved July 25, 1947.

#### [CHAPTER 330]

#### AN ACT

July 25, 1947  
[S. 1262]  
[Public Law 242]

To provide a central authority for standardizing geographic names for the purpose of eliminating duplication in standardizing such names among the Federal departments, and for other purposes.

Uniformity in geo-  
graphic nomenclature  
and orthography.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior, hereinafter called the Secretary, conjointly with the Board on Geographic Names, as hereinafter provided, shall provide for uniformity in geographic nomenclature and orthography throughout the Federal Government. The Secretary may exercise his functions through such officials as he may designate, except that such authority as relates to the final approval or review of actions of the Board on Geographic Names shall be exercised by him, or his Under or Assistant Secretaries.

Board on Geograph-  
ic Names.

Appointment of  
members.

SEC. 2. There is hereby established a Board on Geographic Names, hereinafter called the Board. The membership of the Board shall include one representative from each of the Departments of State, War, Navy, Post Office, Interior, Agriculture, and Commerce, and from the Government Printing Office, and the Library of Congress. The Board may also include representatives from such Federal agencies as the Secretary, upon recommendation of the Board, shall from time to time find desirable, even though these agencies are in the departments otherwise represented on the Board. The members of the Board shall be appointed by the respective heads of the departments or independent agencies that they represent. Each member shall be appointed for a two-year term but may be reappointed to successive terms. The members of the Board shall serve without additional compensation. The Board shall nominate a Chairman to be appointed by the Secretary, and shall establish such working committees as are found desirable.

Formulation of  
principles, policies,  
etc.

SEC. 3. The Board, subject to the approval of the Secretary, shall formulate principles, policies, and procedures to be followed with reference to both domestic and foreign geographic names; and shall decide the standard names and their orthography for official use. The principles, policies, and procedures formulated hereunder shall be designed to serve the interests of the Federal Government and the general public, to enlist the effective cooperation of the Federal departments and agencies most concerned, and to give full consideration to the specific interests of particular Federal and State agencies. Action may be taken by the Secretary in any matter wherein the Board does not act within a reasonable time. The Board may make such recommendations to the Secretary as it finds appropriate in connection with this Act.

Studies and investi-  
gations.

SEC. 4. The Secretary shall cause such studies and investigations to be made and such records to be kept as may be necessary or desirable in carrying out the purposes of this Act, and he shall provide a place

of meeting and staff assistance to the Board. The staff shall be responsible to the Secretary, who shall prescribe its relations to the Board and the committees of the Board. The Secretary may establish from time to time, upon recommendation of the Board, advisory committees of United States citizens who are recognized experts in their respective fields to assist in the solution of special problems arising under this Act.

Advisory committees.

SEC. 5. For the guidance of the Federal Government, the Secretary shall promulgate in the name of the Board, from time to time and in such form as will carry out the purposes of this Act, decisions with respect to geographic names and principles of geographic nomenclature and orthography. The Secretary shall also furnish such additional information with respect to geographic names as will assist in carrying out the purposes of this Act.

Promulgation of decisions, etc.

SEC. 6. With respect to geographic names the pertinent decisions and principles issued by the Secretary shall be standard for all material published by the Federal Government. The United States Board on Geographical Names in the Department of the Interior created by Executive order, is hereby abolished, and the duties of said Board are transferred to the Board herein created, and all departments, bureaus, and agencies of the Federal Government shall refer all geographic names and problems to the said Board for the purpose of eliminating duplication of work, personnel, and authority.

Standard for Federal Government.

Abolition of Board, etc.

SEC. 7. Nothing in this Act shall be construed as applying to the naming of the offices or establishments of any Federal agency.

Naming of offices, etc.

SEC. 8. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

Appropriations authorized.  
Post, p. 461.

Approved July 25, 1947.

#### [CHAPTER 331]

#### AN ACT

To amend the Act entitled "An Act authorizing the Director of the Census to collect and publish statistics of cottonseed and cottonseed products, and for other purposes", approved August 7, 1916.

July 25, 1947  
[S. 1497]

[Public Law 243]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act entitled "An Act authorizing the Director of the Census to collect and publish statistics of cottonseed and cottonseed products, and for other purposes", approved August 7, 1916 (39 Stat. 436; U. S. C., title 13, secs. 81 to 84, inclusive), is amended to read as follows:

Statistics of cottonseed and cottonseed products.

"That (a) the Director of the Census is authorized and directed to collect, collate, and publish monthly statistics concerning—

Collection and publication.

"(1) the quantities of (A) cottonseed, soybeans, peanuts, flaxseed, corn germs, copra, sesame seed, babassu nuts and kernels, and other oilseeds, nuts, and kernels received, crushed, and on hand at oil mills; (B) crude and refined oils, cakes, and meals, and other primary products, by type or kind, of the above-mentioned seeds, nuts, and kernels manufactured, shipped out, and on hand at oil mills and processing establishments; (C) crude and refined vegetable oils, by type or kind, used by class of product and held by manufacturers of vegetable shortening, margarine, soap, and other principal products using large quantities of vegetable oils; (D) crude and refined vegetable oils, by type or kind, held in warehouses and in transit to consuming establishments;

"(2) the quantities, by types or kinds, of (A) animal fats and oils and greases produced; (B) animal fats and oils and greases shipped and held by producers; (C) animal fats and oils and greases, fish and marine mammal oils used by class of product

and held by manufacturers of shortening, margarine, soap, and other principal products which require the use of large quantities of animal fats and oils and greases, fish and marine mammal oils; (D) animal fats and oils and greases, fish and marine mammal oils held in warehouses, cold storage, and in transit to consuming establishments.

“(b) Nothing in this section shall be construed to require the Director to collect, more frequently than he deems necessary to provide reliable statistical reports, information from any person who produces, holds, or consumes fats and oils in inconsequential quantities.

Determination of inquiries.

“SEC. 2. The inquiries, and the number, form, and subdivisions thereof for the censuses and surveys provided for in this Act, shall be determined by the Director of the Census, with the approval of the Secretary of Commerce.

Restriction on use of information.

“SEC. 3. All information furnished to the Bureau of the Census by any individual establishment under the provisions of this Act shall be considered as strictly confidential and shall be used only for the statistical purposes for which it is furnished, and shall not be used for any other purpose. Any employee of the Bureau of the Census who, without the written authority of the Director of the Census, shall publish or communicate any information given into his possession by reason of his employment under the provisions of this Act shall be guilty of a misdemeanor and shall, upon conviction thereof, be fined not more than \$1,000 or imprisoned not more than one year, or both.

Answering of census schedules by owner, etc.

“SEC. 4. It shall be the duty of each owner, official, agent, or person in charge of any mill, or of any manufacturing or wholesale establishment or warehouse, or cold-storage establishment, engaged in the activities set forth in subsection (a) of section 1, and when requested by the Director of the Census or by an employee of the Bureau of the Census acting under instructions of said Director, to answer correctly, to the best of his ability, all questions of the census schedules submitted to him under the provisions of this Act. Any owner, official, agent, or person in charge of any mill, or of any manufacturing or wholesale establishment or warehouse, or cold-storage establishment, engaged in the activities set forth in subsection (a) of section 1, and who shall refuse or willfully neglect to answer any questions of the census schedules submitted to him under the provisions of this Act or shall willfully answer any such questions falsely shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than \$1,000. The request of the Director of the Census may be made by registered mail, by telegraph, by visiting representative, or by one or more of these, and if made by registered mail or by telegraph the return receipt therefor shall be prima facie evidence of an official request.

Penalty for refusal etc.

Statistics not specifically required.

“SEC. 5. The Director of the Census shall not by this Act be restricted or limited from collecting and publishing under the general authority of the Bureau such statistics on fats and oils or products thereof not specifically herein required as is deemed to be in the public interest.

Statistics collected by other Federal agencies.

“SEC. 6. Statistics now required under existing Federal law to be collected by any other Federal department or agency in a manner comparable both as to form and period of time to the collection of statistics provided for herein shall not be collected by the Director of the Census under the authority of this Act: *Provided*, That immediately upon his request, the Director of the Census shall have access to any such statistics and shall include them in the publication required herein.”

Approved July 25, 1947.

## [CHAPTER 332]

## AN ACT

To confer upon the Governor of Alaska the power to pardon and remit fines and forfeitures for offenses against laws of the Territory of Alaska.

July 25, 1947  
[H. R. 175]  
[Public Law 244]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 2 of the Act of June 6, 1900 (31 Stat. 321; 48 U. S. C. 61), be amended by striking out the sentence, "He may also grant reprieves for offenses committed against the laws of the district or of the United States until the decision of the President thereon shall be made known.", and inserting in lieu thereof the following: "He may grant pardons and reprieves and remit fines and forfeitures for offenses against the laws of the said Territory and reprieves for all offenses against the laws of the United States until the decision of the President thereon shall be made known."

Alaska.  
Power of Governor  
to grant pardons, etc.

SEC. 2. This Act shall take effect upon the date of its enactment.

Effective date.

Approved July 25, 1947.

## [CHAPTER 333]

## AN ACT

To amend the Natural Gas Act approved June 21, 1938, as amended.

July 25, 1947  
[H. R. 2056]  
[Public Law 245]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 7 of the Natural Gas Act, approved June 21, 1938, as amended (15 U. S. C. 717f), is hereby amended by adding after subsection (g) the following new subsection:

52 Stat. 824.

"(h) When any holder of a certificate of public convenience and necessity cannot acquire by contract, or is unable to agree with the owner of property to the compensation to be paid for, the necessary right-of-way to construct, operate, and maintain a pipe line or pipe lines for the transportation of natural gas, and the necessary land or other property, in addition to right-of-way, for the location of compressor stations, pressure apparatus, or other stations or equipment necessary to the proper operation of such pipe line or pipe lines, it may acquire the same by the exercise of the right of eminent domain in the district court of the United States for the district in which such property may be located, or in the State courts. The practice and procedure in any action or proceeding for that purpose in the district court of the United States shall conform as nearly as may be with the practice and procedure in similar action or proceeding in the courts of the State where the property is situated: *Provided*, That the United States district courts shall only have jurisdiction of cases when the amount claimed by the owner of the property to be condemned exceeds \$3,000."

Right-of-way for  
pipe line, etc.

Practice and proce-  
dure.

Jurisdiction of  
courts.

Approved July 25, 1947.

## [CHAPTER 334]

## AN ACT

To enable the Osage Tribal Council to determine the bonus value of tracts offered for lease for oil, gas, and other mining purposes, Osage Mineral Reservation, Oklahoma.

July 25, 1947  
[H. R. 3323]  
[Public Law 246]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the third paragraph of section 3 of the Act entitled "An Act relating to the tribal and individual affairs of the Osage Indians of Oklahoma", approved

Osage Indians,  
Okla.  
Determination of  
bonus value of certain  
tracts.



June 24, 1938 (52 Stat. 1034), is amended by striking out the colon following the phrase "as may be deemed for the best interest of the Osage Tribe of Indians" and inserting in lieu of said colon the following clause: "and the Osage tribal council may determine the bonus value of any tract offered for lease for oil, gas, and other mining purposes on any unleased portion of said land, and such determination shall be final:".

Approved July 25, 1947.

#### [CHAPTER 337]

#### AN ACT

Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1948, and for other purposes.

July 25, 1947  
[H. R. 3123]  
[Public Law 247]

Interior Department Appropriation Act, 1948.

*Ante*, pp. 118, 187, 188, 245, 361; *post*, pp. 608, 609, 620, 621, 699, 943.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1948, namely:

### OFFICE OF THE SECRETARY

#### SALARIES

Salaries: For the Secretary of the Interior (hereafter in this Act referred to as the Secretary), and other personal services in the District of Columbia and elsewhere, including temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), but at rates for individuals not in excess of \$35 per diem, \$1,103,000: *Provided*, That no part of this appropriation shall be used for the broadcast of radio programs designed or calculated to influence the passage or defeat of any legislation pending before the Congress: *Provided further*, That not to exceed \$50,000 of this appropriation may be used for the Division of Power under the Office of the Secretary: *Provided further*, That not to exceed \$42,500 of this appropriation may be used for the Division of Information or for publicity and public relations activities.

60 Stat. 810.  
5 U. S. C. § 55a.

Radio broadcasts respecting legislation.

Division of Power.

Division of Information.

*Ante*, p. 245; *post*, p. 620.

#### WAR AGENCY LIQUIDATION

War Agency Liquidation: For expenses necessary for liquidating the Solid Fuels Administration for War provided for in Executive Order 9332, including personal services in the District of Columbia; and printing and binding; \$60,000.

50 U. S. C. app. § 601 note.

#### OFFICE OF SOLICITOR

For personal services in the District of Columbia and in the field, \$215,460.

#### DIVISION OF TERRITORIES AND ISLAND POSSESSIONS

For personal services in the District of Columbia, \$140,000.

#### OIL AND GAS DIVISION

Oil and Gas Division: For expenses necessary for coordinating and unifying policies and administration of Federal activities relative to oil, gas, and synthetic fuels, including cooperation with the petroleum industry and State authorities in the production, processing, and utilization of petroleum and petroleum products, natural gas, and

synthetic fuels and the compilation of technical reports thereon, for administering and enforcing the provisions of the Act of February 22, 1935, as amended (15 U. S. C., ch. 15A); and for the liquidation of the Petroleum Administration for War; including personal services in the District of Columbia; not to exceed \$10,000 for employment of a director without regard to the civil-service and classification laws; contract stenographic reporting services; and printing and binding; \$275,000.

49 Stat. 30.  
15 U. S. C. §§ 715-  
715m.

#### DIVISION OF GEOGRAPHY

Salaries and expenses: For necessary expenses in performing the duties imposed upon the Secretary by Executive Order 6680, dated April 17, 1934, relating to uniform usage in regard to geographic nomenclature and orthography throughout the Federal Government, including personal services in the District of Columbia, stationery and office supplies, and printing and binding, \$12,956.

*Ante*, p. 456.  
3 CFR, p. 293.

#### SOIL AND MOISTURE CONSERVATION OPERATIONS

For necessary expenses of administering and carrying out directly and in cooperation with other agencies a soil and moisture conservation program on lands under the jurisdiction of the Department of the Interior in accordance with the provisions of the Act of April 27, 1935 (16 U. S. C. 590a-590f), and Reorganization Plan Numbered IV, including \$100,000 for departmental personal services including such services in the District of Columbia; printing and binding; furniture, furnishings, office equipment and supplies; purchase of not to exceed four passenger motor vehicles, and hire, maintenance, and operation of aircraft, \$1,900,000: *Provided*, That this appropriation shall be available for meeting expenses of warehouse maintenance and the procurement, care, and handling of supplies, materials, and equipment stored therein for distribution to projects under the supervision of the Department of the Interior.

49 Stat. 163.  
*Post*, p. 494.  
54 Stat. 1235.  
5 U. S. C. § 133t  
note.

Warehouse maintenance, etc.

#### CONTINGENT EXPENSES, DEPARTMENT OF THE INTERIOR

For the contingent expenses of the office of the Secretary and the bureaus and offices of the Department (except as otherwise provided), including teletype rentals and service; streetcar fares not exceeding \$300; traveling expenses, including not exceeding \$10,000 for inspections and investigations by the legislative branch as well as attendance at meetings or conventions concerned with the work of the Department, and any request from appropriate authority in such branch in connection therewith shall be immediately complied with by administrative authority in the Department; \$10,000, exclusively for the payment of claims under part 2 of the Federal Tort Claims Act of August 2, 1946 (Public Law 601); hire of aircraft; expense of taking testimony and preparing the same in connection with disbarment proceedings instituted against persons charged with improper practices before the Department, its bureaus and offices; expense of translations, and not exceeding \$1,000 for contract stenographic reporting services; not exceeding \$700 for newspapers; printing and binding, \$220,430; and, in addition thereto, sums transferred from other appropriations to this for stationery supplies as follows: Bureau of Land Management, \$9,000; Geological Survey, \$19,500; National Park Service, \$7,500; Bureau of Reclamation, \$8,400, any unexpended portion of which shall revert and be credited to the reclamation fund; Bureau of Mines, \$9,000.

Investigations by  
legislative branch.

60 Stat. 843.  
28 U. S. C. §§ 921,  
922.

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail of the Department of the Interior, as required by the Act of June 28, 1944, \$136,500.

58 Stat. 394.  
39 U. S. C. §§ 321c-321h.  
*Ante*, p. 450.

### COMMISSION OF FINE ARTS

36 Stat. 371.

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U. S. C. 104), including personal services in the District of Columbia, hire of passenger motor vehicles, printing and binding and payment of actual traveling expenses of the members and secretary of the Commission in attending meetings and committee meetings of the Commission either within or outside of the District of Columbia, to be disbursed on vouchers approved by the Commission, \$12,000.

### BONNEVILLE POWER ADMINISTRATION

*Post*, p. 620.

60 Stat. 810.  
5 U. S. C. § 55a.

Transmission system.

*Post*, p. 620.

Availability of construction appropriations.

Informational work.

Interest from sales of electric energy.

Construction, operation, and maintenance, Bonneville power transmission system: To enable the Bonneville Power Administrator to carry out the duties imposed upon him pursuant to law, including the construction of transmission lines, substations, and appurtenant facilities; operation and maintenance of the Bonneville transmission system; marketing of electric power and energy; printing and binding; services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); purchase of not to exceed fourteen in the fiscal year 1948 and hire of passenger motor vehicles; and maintenance and operation of aircraft; \$8,596,400, to be available until expended, of which amount not to exceed \$2,500,000 shall be available in the fiscal year 1948 for operation and maintenance of the Bonneville transmission system, marketing of electric power and energy, and administrative expenses connected therewith, including \$24,000 for personal services in the District of Columbia: *Provided*, That in addition to this appropriation the Administrator is authorized to contract in the fiscal year 1948 for materials and equipment for power transmission facilities in an amount not in excess of \$4,935,500: *Provided further*, That no part of any construction appropriations for the Bonneville Power Administration contained in this Act shall be available for construction work by force account, or on a hired labor basis, except for management and operation, maintenance and repairs, engineering and supervision, routine minor construction work, or in case of emergencies, local in character, so declared by the Bonneville Power Administrator: *Provided further*, That not exceeding \$21,500 of funds available for expenditure under this appropriation shall be used for salaries and expenses in connection with informational work: *Provided further*, That interest heretofore collected by Bonneville Power Administration from sales of electric energy generated at Grand Coulee Dam on the unamortized balance of investment allocated to power in Grand Coulee Dam shall be covered into the reclamation fund forthwith: *Provided further*, That said interest shall not be allocated during the fiscal year 1948.

### SOUTHWESTERN POWER ADMINISTRATION

Operation and maintenance: For operation and maintenance of the southwestern power transmission system, marketing of electric power and energy, and administrative expenses connected therewith; including hire of passenger motor vehicles, and printing and binding; \$125,000: *Provided*, That not exceeding \$12,000 of appropriations to the Southwestern Power Administration contained in this Act shall be available for personal services in the District of Columbia.

Construction: The funds appropriated for the fiscal year 1947 (Interior Department Appropriation Act, 1947), are hereby continued available during the fiscal year 1948 to meet obligations incurred in contract or contracts duly executed and in force on or before June 30, 1947; for administrative expenses connected therewith; including purchase of five, and hire of passenger motor vehicles; for temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), but at rates not exceeding \$35 per diem for individuals; printing and binding; for the purchase or acquisition of necessary lands for rights-of-way and necessary engineering and supervision of the construction under said contracts; and for the construction of necessary interconnecting facilities incident to and connected with the construction of the Denison-Norfolk transmission line.

60 Stat. 350.

60 Stat. 810.  
5 U. S. C. § 55a.

### BUREAU OF LAND MANAGEMENT

Salaries and expenses: For necessary expenses not otherwise provided for in carrying out the provisions of the public land and other laws administered by the Bureau of Land Management, including personal services in the District of Columbia; one clerk authorized by the President to sign land patents; printing and binding, advertising, preparation and production of maps and official plats of survey, and for hearings and other proceedings, \$1,175,000: *Provided*, That not exceeding \$91,000 of this appropriation shall be available for expenditure in carrying out the provisions of the Act of June 28, 1934, as amended (43 U. S. C. 8A).

48 Stat. 1269.  
43 U. S. C. §§ 315-315o.  
*Post*, pp. 790, 791.  
*Post*, p. 699.

Management, protection, and disposal of public lands: For the administration of the public lands and their resources under the jurisdiction of the Bureau of Land Management, including their protection, use, maintenance, improvement, development, and disposal; the employment of necessary personnel, travel expenses, hearings, investigations, examination and classification of lands; preparation of maps and reports; surveys and resurveys of public lands, including fragmentary surveys and such other surveys and examinations as may be required; the prevention, suppression or emergency prevention of fires on or threatening lands under the jurisdiction of the Bureau of Land Management; contract reporting services, purchase of not to exceed twenty-five passenger motor vehicles; the payment of a salary of \$6 per diem while actually employed and for payment of necessary travel expenses, exclusive of subsistence, of members of advisory committees of local stockmen, \$35,500; and the maintenance and alteration of necessary buildings; \$2,084,640, of which not to exceed \$310,000 shall be available for the administration of district land offices, and not exceeding \$398,000 for carrying out the provisions of the Act of June 28, 1934, as amended (43 U. S. C. 8A): *Provided*, That this appropriation shall be available for expenses of warehouse maintenance and the procurement, care, and handling of supplies, materials, and equipment stored therein for distribution to projects under the supervision of the Bureau of Land Management, the cost of such supplies and materials or the value of such equipment (including the cost of transportation and handling) to be reimbursed to the appropriation for "Management, protection, and disposal of public lands, Bureau of Land Management," current at the time additional supplies, materials, or equipment are procured, from the appropriation chargeable with the cost or value of such supplies, materials, or equipment: *Provided further*, That this appropriation may be expended for surveys of lands other than those under the jurisdiction of the Bureau of Land Management and in such cases this appropriation shall be reimbursed from the applicable appropriation, fund or special deposit.

48 Stat. 1269.  
43 U. S. C. §§ 315-315o.  
*Post*, pp. 790, 791.  
Warehouse maintenance, etc.

Surveys of lands.

**Fire fighting:** For fighting fires on or threatening lands under the jurisdiction of the Bureau of Land Management in the United States and Alaska, \$40,000, which amount shall also be available for meeting obligations of the preceding year, pursuant to the Acts of September 20, 1922 (16 U. S. C. 594) and June 28, 1934, as amended.

42 Stat. 857.  
48 Stat. 1269.  
43 U. S. C. §§ 315-315o.  
*Post*, pp. 790, 791.

**Range improvements:** For construction, purchase, and maintenance of range improvements on the public lands pursuant to the provisions of sections 10 and 11 of the Act of June 28, 1934, as amended (43 U. S. C. 315i and j), in addition to contributions under section 9 of the Act of June 28, 1934, including the purchase of not to exceed one passenger motor vehicle, \$253,000: *Provided*, That expenditures hereunder shall not exceed 25 per centum of all moneys received under the provisions of said Act during the fiscal years 1947 and 1948.

48 Stat. 1273.

48 Stat. 1273.  
43 U. S. C. § 315h.

**Revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands, Oregon:** For expenses necessary in carrying out the provisions of title I of the Act of August 28, 1937 (50 Stat. 874), including fire protection and patrol, through cooperative agreements with Federal, State, and county agencies, or otherwise, and including purchase of not to exceed one passenger motor vehicle, \$469,300: *Provided*, That such expenditures shall be reimbursed from the 25 per centum referred to in section c, title II, of the Act approved August 28, 1937, of the special fund designated the "Oregon and California Land Grant Fund" and section 4 of the Act approved May 24, 1939, of the special fund designated the "Coos Bay Wagon Road Grant Fund."

50 Stat. 876.

53 Stat. 764.

**Payments to States of 5 per centum of proceeds from sales of public lands:** For payment to the several States of 5 per centum of the net proceeds of sales of public lands lying within their limits, for the purpose of education or of making public roads and improvements, \$2,500: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.  
31 U. S. C. § 725c.

**Payment to Oklahoma from royalties, oil and gas, south half of Red River:** For payment of 37½ per centum of the royalties derived from the south half of Red River in Oklahoma under the provisions of the Act of March 4, 1923 (30 U. S. C. 233), which shall be paid to the State of Oklahoma in lieu of all State and local taxes upon tribal funds accruing under said Act, to be expended by the State in the same manner as if received under section 35 of the Act approved February 25, 1920 (30 U. S. C. 191), \$3,500: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

42 Stat. 1448.  
30 U. S. C. §§ 230-236.

41 Stat. 450.  
*Ante*, p. 119.

48 Stat. 1227.  
31 U. S. C. § 725c.

**Leasing of grazing lands:** For leasing State, county, or privately owned lands in accordance with the provisions of the Act of June 23, 1938 (43 U. S. C. 315m-1), \$7,500: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with 43 U. S. C. 315m-4.

52 Stat. 1033.  
43 U. S. C. §§ 315m-1-315m-4.  
52 Stat. 1033.

Appropriations herein made for the Bureau of Land Management for "Management, protection, and disposal of public lands, Bureau of Land Management", "Range improvements", and "Fire fighting", shall be available for the hire, maintenance, and operation of aircraft.

## BUREAU OF INDIAN AFFAIRS

**Salaries and expenses, general administration:** For expenses necessary for the general administration of the Bureau of Indian Affairs, including departmental personal services in the District of Columbia and elsewhere; rental of office equipment and the purchase of necessary

supplies therefor; purchase of office furniture and equipment in addition to that which may be purchased from the appropriation for contingent expenses of the Department; printing and binding, including the purchase of reprints of scientific and technical articles published in periodicals and journals, \$750,000.

Salaries and expenses, district offices: For necessary expenses of district offices for the administration and supervision of Indian Service activities, including printing and binding, \$500,000.

Salaries and expenses, reservation administration: For necessary expenses of reservation administration, including the maintenance of law and order among Indians, and pay of employees authorized by continuing or permanent treaty provisions, \$2,000,000.

Alaska native service: For expenses necessary to provide for the support, rehabilitation, education, conservation of health, development of resources, and relief of destitution of the natives of Alaska; the repair, rental, and equipment of school, hospital, and other buildings; the purchase or erection of range cabins; the hire, repair, equipment, maintenance, and operation of vessels; and for the administration of the Alaska native service, \$3,500,000.

*Post*, p. 943.

Purchase and transportation of Indian supplies: For advertising, inspection, storage, printing and binding, and all other expenses incident to the purchase of goods and supplies for the Indian Service and for payment of railroad, pipe-line, and other transportation costs of such goods and supplies, \$660,000: *Provided*, That no part of this appropriation shall be used in payment for any services except bill therefor is rendered within one year from the time the service is performed.

Maintenance of buildings and utilities: For expenses necessary to maintain buildings in the Indian Service, including the lease, purchase, construction (not to exceed \$1,500 for any one building), repair and improvement of buildings; the installation, repair, and improvement of utility systems, \$665,000.

Education of Indians: For the support and education of Indian pupils in boarding and day schools and for other educational purposes, including educational facilities authorized by treaty provisions; tuition, care, and other expenses of Indian pupils attending public and private schools; support and education of deaf, dumb, blind, mentally deficient, or physically handicapped; the tuition (which may be paid in advance) and other assistance of Indian pupils attending vocational or higher educational institutions under such regulations as the Secretary may prescribe; printing and binding (including illustrations); the support of an arts and crafts building at Anadarko, Oklahoma, and Indian museums at Rapid City, South Dakota, and Browning, Montana, and on the Fort Apache Reservation, Arizona; \$11,139,700: *Provided*, That payment of tuition and care of Indian pupils may be made from date of admission.

Payment of tuition,  
etc.

Conservation of health: For expenses necessary for the conservation of health among Indians, transportation of patients and attendants to and from hospitals and sanatoria; returning to their former homes and interring the remains of deceased patients; clinical surveys and general medical research in connection with tuberculosis, trachoma, and venereal and other disease conditions among Indians, including cooperation with State and other organizations engaged in similar work and payment of travel expenses and per diem of physicians, nurses, and other persons whose services are donated by such organizations, and printing and binding, \$7,000,000.

*Post*, p. 621.

Post, p. 943.

**Welfare of Indians:** For welfare services, including general support, relief of needy Indians, boarding home care of Indian children, institutional care of delinquent children, and payment of per diem, in lieu of subsistence, and other expenses of Indians participating in folk festivals, \$498,710: *Provided*, That payment for the care of Indians may be made from the date of service.

58 Stat. 132.  
16 U. S. C. §§ 583-583i.

**Management, Indian forest and range resources:** For the management and protection of forest, range, and wildlife resources on Indian reservations and allotments other than the Menominee Indian Reservation, Wisconsin, including the payment of reasonable rewards for information leading to the arrest and conviction of any person or persons setting forest or range fires, or taking or destroying timber, in violation of law on Indian lands; the establishment of cooperative sustained yield forest units pursuant to the Act of March 29, 1944 (16 U. S. C. 583); and the development, repair, maintenance, and operation of domestic and stock water facilities, \$801,500: *Provided*, That the United States shall be reimbursed for expenditures made from this appropriation for expenses incident to the sale of timber to the extent prescribed in regulations promulgated by the Secretary pursuant to the Act of March 1, 1933 (25 U. S. C. 413).

47 Stat. 1417.

**Suppressing forest and range fires:** For the suppression or emergency prevention of forest and range fires on or threatening Indian reservations, \$12,000, which amount shall be available also for meeting obligations of the preceding fiscal year: *Provided*, That appropriations herein made for the Indian Service shall be available upon the approval of the Secretary for fire-suppression or emergency prevention purposes: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Report to Congress.

Navajo Reservation,  
sheep breeding station.

**Agriculture and stock raising:** For the development of agriculture and stock raising among the Indians, including agricultural experiments and demonstrations and maintenance of a supply of suitable plants or seed for issue to Indians; the operation and maintenance of a sheep breeding station on the Navajo Reservation; the expenses of Indian fairs, including premiums for exhibits; and the control and eradication of fever ticks and contagious diseases among livestock of Indians, \$853,000.

48 Stat. 985.  
Restrictions.

**Acquisition of lands for Indian tribes:** For the acquisition of lands, interest in lands, water rights and surface rights to lands, and for expenses incident to such acquisition, in accordance with the provisions of the Act of June 18, 1934 (25 U. S. C. 465), \$150,000: *Provided*, That no part of the sum herein appropriated shall be used for the acquisition of land within the States of Arizona, California, Colorado, New Mexico, South Dakota, Utah, and Wyoming outside of the boundaries of existing Indian reservations except for the Alamo Band of the Puertocito Indians in the State of New Mexico and for the Rapid City Band of Sioux Indians in the State of South Dakota: *Provided further*, That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Montana, Nevada, Oregon, and Washington either inside or outside the boundaries of existing reservations except such sum as may be necessary to purchase in the name of the United States in trust thirty-four and one-half acres of land at Celilo Falls, Oregon, for the use of the Yakima Indian Tribes, the Umatilla Indian Tribes, the Confederated Tribes of the Warm Springs Reservation, and other Columbia River Indians affiliated with the aforementioned tribes and entitled to enjoy fishing rights at their old and accustomed fishing sites at or in the vicinity of Celilo Falls on the Columbia River.

Montana, Nevada,  
Oregon, and Wash-  
ington.

Development of Indian arts and crafts: For the development, under the direction of the Commissioner of Indian Affairs, of Indian arts and crafts, as authorized by the Act of August 27, 1935 (25 U. S. C., ch. 7A), including expenses of exhibits, not to exceed \$2,500 for printing and binding, and other necessary expenses, \$34,800, of which not to exceed \$15,500 shall be available for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be used to pay any salary at a rate exceeding \$8,180 per annum.

49 Stat. 891.  
25 U. S. C. §§ 305-305e.

Salary limitation.

Irrigation: For the maintenance, operation, repair, and improvement of irrigation and power systems for Indian reservations and allotments; payment of operation and maintenance assessments on Indian lands and within non-Indian irrigation districts; payment of reclamation charges; purchase of water and water rights; including the purchase or rental of equipment, tools and appliances; drainage and protection of irrigable lands from damage by floods or loss of water rights; and for all other necessary expenses, \$406,000, of which \$337,833 shall be reimbursable in accordance with existing law.

Construction, and so forth, irrigation systems: For the construction, rehabilitation, and improvement of irrigation systems on Indian reservations; the purchase or rental of equipment, tools, and appliances; the acquisition of rights-of-way; the development of domestic and stock water and water for subsistence gardens; the purchase of water rights, ditches, and lands needed for irrigation purposes; drainage and protection of irrigable lands from damage by floods or loss of water rights; preparation of raw reservation lands for irrigation farming, expenditures for which shall be repayable on a per acre basis by the lands benefited; as follows:

Arizona: Colorado River, \$450,000; Navajo, Arizona and New Mexico, \$180,000; Salt River, \$50,000;

Colorado: Southern Ute, \$10,000;

Idaho: Fort Hall, \$40,000;

Montana: Fort Belknap, \$6,250; Fort Peck, \$34,000; Tongue River, \$9,750;

New Mexico: United Pueblos, \$17,500;

Oregon: Klamath, \$7,500;

Wyoming: Wind River, \$15,000;

Miscellaneous small projects, \$92,500;

For surveys and investigations, \$100,000;

In all, \$1,012,500, reimbursable in accordance with law, and to remain available until completion of the projects: *Provided*, That the foregoing amounts may be used interchangeably in the discretion of the Commissioner of Indian Affairs, but not more than 10 per centum of any specific amount shall be transferred to any other amount, and no appropriation shall be increased by more than 10 per centum.

Interchange of appropriations.

Construction, and so forth, buildings and utilities: For the construction, repair, or rehabilitation of Indian Service buildings and utilities, including the purchase of land and the acquisition of easements or rights-of-way; purchase of furniture, furnishings, and equipment; private architectural and engineering services; and water explorations; as follows:

Post, p. 699.

Alaska: Schools, hospitals, dock repairs, and quarters, \$400,000;

Fort Belknap, Montana: Water improvements, \$20,000;

Haskell Institute, Kansas: Replacement of boiler, repairs and improvements to heating system, \$18,000;

Navajo, Arizona and New Mexico: Mexican Springs or Coyote Canon day school conversion, \$150,000; Toadlena school development, \$200,000;



Red Lake, Minnesota: School, \$46,000;  
 Shawnee Sanatorium, Oklahoma: Water improvements, \$27,000;  
 United Pueblos, New Mexico: Improvements to heating system, \$11,000;

Various locations: Employees' quarters, \$300,000; major repairs and improvements, \$500,000;

For surveys and plans and administrative expenses, private architect and engineering service and water explorations, including personal services in the District of Columbia and printing and binding, \$150,000;

Transfer of funds.

In all, \$1,822,000, to remain available until completion of the projects: *Provided*, That not to exceed 10 per centum of the amount of any specific authorization may be transferred, in the discretion of the Commissioner of Indian Affairs, to the amount of any other specific authorization, but no limitation shall be increased more than 10 per centum by any such transfer.

45 Stat. 750; 58 Stat.  
 838.  
 23 U. S. C. §§ 60-63.

Roads: For construction, improvement, repair, and maintenance of Indian reservation roads under the provisions of the Act of May 26, 1928 (25 U. S. C. 318a) and the Act of December 20, 1944 (Public Law 521), \$3,000,000, to remain available until expended, of which amount not to exceed \$9,000 may be expended for departmental personal services.

Highway, Gallup-Shiprock, Navajo Reservation: For maintenance and repair of that portion of the Gallup-Shiprock Highway within the Navajo Reservation, New Mexico, and that portion of the State highway in New Mexico between Gallup, New Mexico, and Window Rock, Arizona, serving the Navajo Reservation, \$20,000, reimbursable, as authorized by the Act of May 28, 1941 (55 Stat. 207).

Senecas, N. Y.

Fulfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock (Act of February 19, 1831, 4 Stat. 442), \$6,000.

Six Nations, N. Y.  
 7 Stat. 46.

Fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (article 6, treaty of November 11, 1794), \$4,500.

Choctaws, Okla.  
 7 Stat. 99.  
 11 Stat. 614.  
 7 Stat. 213.

Fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty of June 22, 1855), \$3,000; for permanent annuity for support of light horsemen (article 13, treaty of October 18, 1820, and article 13, treaty of June 22, 1855), \$600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), \$600; for permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), \$6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), \$320; in all, \$10,520.

Pawnees, Okla.  
 11 Stat. 729; 27 Stat.  
 644.

Fulfilling treaties with Pawnees, Oklahoma: For permanent annuity (article 2, treaty of September 24, 1857, and article 3, agreement of November 23, 1892), \$30,000.

Payment to Indians of Sioux Reservations: For payment of Sioux benefits to Indians of the Sioux reservations, as authorized by the Act of March 2, 1889 (25 Stat. 895), as amended, \$150,000.

Payment of interest on Indian trust funds: For payment of accrued and accruing interest on moneys held in trust for the several Indian tribes, as authorized by various Acts of Congress, \$1,722,000.

Proceeds from power: Not to exceed the amount of power revenues covered into the Treasury to the credit of each of the power projects shall be available for the purposes authorized by section 3 of the Act of August 7, 1946 (Public Law 647), in connection with the respective projects from which such revenues are derived.

60 Stat. 805.  
 31 U. S. C. § 725s-3.

## MISCELLANEOUS INDIAN TRIBAL FUNDS

Administration of Indian tribal affairs (tribal funds): For expenses of administering the affairs and property of Indian tribes, including pay and travel expenses, \$304,800, payable from funds held by the United States in trust for the particular tribe benefited; not to exceed \$50,000 for any one tribe.

Travel expenses.

Support of Klamath Agency, Oregon (tribal funds): For general support of Indians and administration of Indian property under the jurisdiction of the Klamath Agency, payable from funds held by the United States in trust for the Klamath Tribe of Indians, Oregon, \$150,000 of which not to exceed \$4,500 shall be available for fees and expenses of an attorney or firm of attorneys selected by the tribe and employed under a contract approved by the Secretary, and for relief, including cash grants.

Klamath Agency,  
Oreg.

Support of Menominee Agency and pay of tribal officers, Wisconsin (tribal funds): For general support of Indians and administration of Indian property under the jurisdiction of the Menominee Agency, Wisconsin, payable from funds held by the United States in trust for the Menominee Tribe of Indians, Wisconsin, \$147,500, including \$30,000 for relief of Indians in need of assistance, including cash grants; scholarships (not to exceed \$1,000); and \$5,200 for the compensation and expenses of an attorney or firm of attorneys employed by the tribe under a contract approved by the Secretary: *Provided*, That not to exceed \$9,000 shall be available from the funds of the Menominee Indians for the payment of salaries and expenses of the chairman, secretary, and interpreters of the Menominee general council and members of the Menominee advisory council and tribal delegates when engaged on business of the tribe at rates to be determined by the Menominee general council and approved by the Commissioner of Indian Affairs.

Menominee Agency,  
Wis.

Support of Osage Agency and pay of tribal officers, Oklahoma (tribal funds): For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage Reservation, Oklahoma, including pay of the superintendent of the agency, a curator for the Osage Museum, at a salary of \$1,954, which employee shall be an Osage Indian, appointed with the approval of the Osage Tribal Council, and of necessary employees, and pay of tribal officers; not to exceed \$2,000 for the education of unallotted Osage Indian children in the Saint Louis Mission Boarding School, Oklahoma; payment of damages to individual allottees; repairs to buildings, rent of quarters for employees, and printing, \$202,000, payable from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma: *Provided*, That of the said sum herein appropriated \$7,500 is hereby made available for travel and other expenses of members of the Osage Tribal Council, business committees, or other tribal organizations, when engaged on business of the tribe, including supplies and equipment, not to exceed \$10 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, when duly authorized or approved in advance by the Commissioner of Indian Affairs.

Osage Agency, Okla.

Travel, etc., ex-  
penses.

Expenses of tribal officers, Five Civilized Tribes, Oklahoma (tribal funds): For the current fiscal year money may be expended from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, and for salaries and contingent expenses of the governor of the Chickasaw Nation and chief of the Choctaw Nation, one mining trustee for the Choctaw and Chickasaw Nations, at salaries of \$3,000 each for the

Five Civilized  
Tribes, Okla.

Limitation.

said governor, said chief, and said mining trustee, chief of the Creek Nation at \$1,200 and one attorney each for the Choctaw and Chickasaw Tribes employed under contract approved by the President under existing law: *Provided*, That the expenses of the above-named officials shall be determined and limited by the Commissioner of Indian Affairs at not to exceed \$2,500 each.

Restriction.

Expenses of tribal councils or committees thereof (tribal funds): For travel and other expenses of members of tribal councils, business committees, or other tribal organizations, when engaged on business of the tribes, including supplies and equipment, not to exceed \$6 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, when duly authorized or approved in advance by the Commissioner of Indian Affairs, except that the Shoshone and Arapahoe Tribes of Wyoming may not exceed \$8 per diem and when in the District of Columbia or Chicago, Illinois, \$10 per diem as heretofore provided, \$73,000, payable from funds on deposit to the credit of the particular tribe interested: *Provided*, That no part of this appropriation, or of any other appropriation contained in this Act, shall be available for expenses of members of tribal councils, business committees, or other tribal organizations, when in the District of Columbia or Chicago, Illinois, for more than an eight-day period, unless the Secretary shall in writing approve a longer period.

41 U. S. C. § 5.

18 U. S. C. §§ 744a-744b.

Relief of needy Indians (tribal funds): For the relief of Indians in need of assistance, including cash grants; the purchase of subsistence supplies, clothing, and household goods; medical, burial, housing, transportation, and all other necessary expenses, \$112,000, payable from funds on deposit to the credit of the particular tribe concerned: *Provided*, That expenditures hereunder may be made without regard to section 3709, Revised Statutes, as amended, or to the Act of May 27, 1930 (46 Stat. 391), as amended.

Compensation and expenses of attorneys (tribal funds): For compensation and expenses of attorneys employed by various tribes of Indians under contracts to be approved by the Secretary of the Interior, \$33,580, payable from funds on deposit in the United States Treasury to the credit of the particular Indian tribe concerned.

Restriction.

Purchase and lease of lands (tribal funds): For the purchase of land and improvements on land; lease of lands and water rights; and necessary expenses incident thereto, \$124,000, payable from funds held in trust for the particular tribe concerned, to remain available until expended: *Provided*, That title to any lands or improvements so purchased shall be taken in the name of the United States in trust for the tribe for which purchased: *Provided further*, That no part of this appropriation shall be used for the acquisition of land or water rights within the States of Montana, Nevada, Oregon, South Dakota, and Washington either inside or outside the boundaries of existing Indian reservations.

Funds continued available.

59 Stat. 326.

Educational loans.

Industrial assistance (tribal funds): For advances to individual members of the tribes for the construction of homes and for the purchase of land, seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support and burial, and Indians having irrigable allotments to assist them in the development and cultivation thereof, \$250,000, payable from tribal funds as follows: Colville, Washington, \$150,000; Menominee, Wisconsin, \$100,000; and the unexpended balances of funds available under this head in the Interior Department Appropriation Act for the fiscal year 1947 are hereby continued available during the fiscal year 1948 for the purposes for which they were appropriated: *Provided*, That

advances may be made to worthy Indian youth to enable them to take educational courses, including courses in nursing, home economics, forestry, agriculture, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years under such regulations as the Secretary may prescribe: *Provided further*, That all moneys reimbursed during the fiscal year 1948 shall be credited to the respective appropriations and be available for the purposes of this paragraph: *Provided further*, That funds available under this paragraph may be used for the establishment and operation of tribal enterprises when proposed by Indian tribes and approved under regulations prescribed by the Secretary: *Provided further*, That enterprises operated under the authority contained in the foregoing proviso shall be governed by the regulations established for the making of loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U. S. C. 470): *Provided further*, That the unexpended balances of prior appropriations under this head for any tribe, including reimbursements to such appropriations and the appropriations made herein, may be advanced to such tribe, if incorporated, for use under regulations established for the making of loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U. S. C. 470).

Availability of funds.

Tribal enterprises.

Regulations.

48 Stat. 986.  
Advances.

48 Stat. 986.

**Pima cropping operations (tribal funds):** For continuing subjugation and for cropping operations on the lands of the Pima Indians in Arizona, there shall be available not to exceed \$200,000 of the revenues derived from these operations and deposited into the Treasury of the United States to the credit of such Indians, and such revenues are hereby made available for payment of irrigation operation and maintenance charges assessed against tribal or allotted lands of said Pima Indians.

**Suppressing forest and range fires (tribal funds):** For the suppression or emergency prevention of forest and range fires on or threatening Indian reservations, \$25,000, payable from funds held by the United States in trust for the respective tribes interested.

**Support of Indian schools (tribal funds):** For the support of Indian schools, and for other educational purposes, including care of Indian children of school age attending public and private schools, tuition and other assistance for Indian pupils attending public schools, and support and education of deaf, dumb or blind, physically handicapped, delinquent, or mentally deficient Indian children, there may be expended from Indian tribal funds and from school revenues arising under the Act of May 17, 1926 (25 U. S. C. 155), not more than \$512,000: *Provided*, That payment may be made from the date of admission for such tuition and care of Indian pupils.

44 Stat. 560.

Payment for tuition, etc.

**Vehicles:** Not to exceed \$450,000 of applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of passenger motor vehicles for the use of employees in the Indian field service, and the transportation of Indian school pupils, and applicable appropriations may be used for the purchase of not to exceed two hundred and five passenger motor vehicles, and such vehicles may be used for the transportation of Indian school pupils.

**Replacement of property destroyed by fire, flood, or storm:** To meet possible emergencies not exceeding \$35,000 of the appropriations made by this Act for education of Indians, maintenance of buildings, reservation administration, the Alaska native service, and conservation of health among Indians shall be available, upon approval of the Secretary, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Bureau of Indian Affairs

above referred to which may be destroyed or rendered unserviceable by fire, flood, or storm: *Provided*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Supplies, etc.

Appropriations herein made for reservation administration, education of Indians, and conservation of health among Indians shall be available for the purchase of supplies, materials, and repair parts, for storage in and distribution from central warehouses, garages, and shops, and for the maintenance and operation of such warehouses, garages, and shops, and said appropriations shall be reimbursed for services rendered or supplies furnished by such warehouses, garages, or shops to any activity of the Bureau of Indian Affairs.

Travel expenses, etc.

Appropriations herein made for the Bureau of Indian Affairs shall be available for travel expenses and the purchase of ice for official use of employees.

Aircraft.

The following appropriations herein made for the Bureau of Indian Affairs shall be available for hire, maintenance, and operation of aircraft: "Management, Indian forest and range resources"; "Suppressing forest and range fires"; "Alaska native service"; and "Salaries and expenses, reservation administration".

## BUREAU OF RECLAMATION

32 Stat. 338.  
43 U. S. C. §§ 391,  
411.

Administrative provisions: Sums appropriated in this Act for the Bureau of Reclamation shall be available for all expenditures authorized by the Act of June 17, 1902, and Acts amendatory thereof or supplementary thereto, known as the reclamation law, and all other Acts under which expenditures are authorized, including personal services in the District of Columbia; disseminating useful information, photographing and making photographic prints, and completing and distributing material, including recordings; examination of estimates for appropriations in the field; refunds of overcollections and deposits for other purposes; lithographing; engraving; printing and binding; purchase of not to exceed four hundred in fiscal year 1948, and hire of passenger motor vehicles; acquisition (not to exceed five in fiscal year 1948 from any disposal agency of the Government without reimbursement or transfer of funds), hire, maintenance, and operation of aircraft; services as authorized by Section 15 of the Act of August 2, 1946 (Public Law 600); for payment of claims for damage to or loss of property, personal injury, or death, arising out of the survey, construction, operation or maintenance of works by the Bureau of Reclamation; payment for official telephone service in the field hereafter incurred in case of official telephones installed in private houses when authorized under regulations established by the Secretary; payment of rewards, when specifically authorized by the Secretary, for information leading to the apprehension and conviction of persons found guilty of the theft, damage, or destruction of public property: *Provided*, That no part of any sum provided for in this Act for operation and maintenance of any project or division of a project by the Bureau of Reclamation shall be used for the irrigation of any lands within the boundaries of an irrigation district which has contracted with the Bureau of Reclamation and is in arrears for more than twelve months in the payment of any charges due the United States, and no part of any sum provided for in this Act for such purpose shall be used for the irrigation of any lands which have contracted with the Bureau of Reclamation and are in arrears for more than twelve months in the payment of any charges due from said lands to the United States.

Vehicles.

60 Stat. 810.  
5 U. S. C. § 55a.  
Property damages.

Rewards.

Restriction.

The following sums are appropriated out of the special fund in the Treasury of the United States created by the Act of June 17, 1902 (43 U. S. C. 391, 411), and therein designated "the reclamation fund", to be available immediately:

"Reclamation fund."  
Post, p. 944.  
32 Stat. 388.

#### GENERAL OFFICES

Salaries and expenses (other than project offices): For expenses necessary during the fiscal year 1948, including personal services in the District of Columbia, in the administration and performance by other than project offices of Bureau of Reclamation functions, \$3,130,000, to be available for the purposes, among others, specified under the head "Operation and maintenance administration", Bureau of Reclamation, in the Department of the Interior Appropriation Act, 1945, and reimbursable as to expenditures for operation and maintenance administration to the same extent as is provided under said head: *Provided*, That in addition to the foregoing amount there may be transferred to this appropriation from other appropriations made to the Bureau of Reclamation not to exceed \$7,800,000 for work to be performed for the benefit of specific projects: *Provided further*, That not exceeding \$50,000 of funds available for expenditure under this appropriation shall be used for salaries and expenses in connection with informational work;

58 Stat. 487.

Specific projects.

Informational work.

#### GENERAL INVESTIGATIONS

General investigations: For engineering and economic investigations of proposed Federal reclamation projects and surveys, investigations, and other activities relating to reconstruction, rehabilitation, extensions, or financial adjustments of existing projects, and studies of water conservation and development plans, such investigations, surveys, and studies to be carried on by said Bureau either independently, or in cooperation with State agencies and other Federal agencies, including the Corps of Engineers, and the Federal Power Commission, \$2,000,000, which may be used to execute detailed surveys, and to prepare construction plans and specifications: *Provided*, That no part of this appropriation shall be available for the preparation of any comprehensive plan or project report the estimates for which are not based upon current prices and costs: *Provided further*, That the expenditure of any sums from this appropriation for investigations of any nature requested by States, municipalities, or other interests shall be upon the basis of the State, municipality, or other interest advancing at least 50 per centum of the estimated cost of such investigations;

#### CONSTRUCTION

Construction: For construction and continuation of construction of the following projects in not to exceed the following amounts, all to be reimbursable under the reclamation law, except as provided in the Act of August 14, 1946 (Public Law 732), Seventy-ninth Congress, to remain available until expended for carrying out projects (including the construction of transmission lines) previously or herein authorized by Congress:

Post, p. 944.

60 Stat. 1080.  
16 U. S. C. §§ 661-666c.

Boise project, Idaho, Payette division, \$897,000; Anderson Ranch Dam, \$3,874,000;

Lewiston Orchards project, Idaho, \$500,000;

Palisades project, Idaho, \$930,750;

Carlsbad project, New Mexico, \$21,000;

Rio Grande project, New Mexico-Texas, \$755,000;

*Post*, p. 944.

Deschutes project, Oregon, \$1,626,000, of which \$100,000 shall be available toward emergency rehabilitation of the works of the Arnold Irrigation District, to be repaid in full under conditions satisfactory to the Secretary of the Interior;

Klamath project, Oregon-California, \$1,800,000;

Ogden River project, Utah, \$30,000;

Provo River project, Utah, \$1,000,000, and in addition to this appropriation the Commissioner of Reclamation is authorized to enter into contracts in an amount not in excess of \$215,000;

Shoshone project, Wyoming, Power division, \$443,000;

Total, construction, from reclamation fund, \$11,876,750.

#### OPERATION AND MAINTENANCE

Parker Dam power project, Arizona-California: Not to exceed \$1,600,000 from power and other revenues shall be available for operation and maintenance;

*Post*, p. 699.

Yuma project, Arizona-California: For operation and maintenance, \$130,000: *Provided*, That not to exceed \$32,000 from the power revenues shall be available for the operation and maintenance of the commercial system;

Central Valley project, California: Not to exceed \$800,000 from power revenues shall be available for the operation and maintenance of the power system;

Colorado-Big Thompson project, Colorado: Not to exceed \$130,000 from power revenues shall be available for the operation and maintenance of the power system;

Boise project, Idaho: For operation and maintenance, \$185,000;

Minidoka project, Idaho: For operation and maintenance, reserved works, \$75,000: *Provided*, That not to exceed \$196,000 from the power revenues shall be available for the operation of the commercial system;

North Platte project, Nebraska-Wyoming: Not to exceed \$130,000 from the power revenues shall be available for the operation and maintenance of the commercial system; and not to exceed \$6,000 from power revenues allocated to the Northport irrigation district under subsection I, section 4, of the Act of December 5, 1924 (43 U. S. C. 501), shall be available for payment on behalf of the Northport irrigation district, to the Farmers' irrigation district for carriage of water;

43 Stat. 703.

Rio Grande project, New Mexico-Texas: Not to exceed \$220,000 from power revenues shall be available for the operation and maintenance of the power system;

Deschutes project, Oregon: For operation and maintenance, \$50,000;

Owyhee project, Oregon: For operation and maintenance, \$260,000;

Klamath project, Oregon-California: For operation and maintenance, \$200,000: *Provided*, That revenues received from the lease of marginal lands, Tule Lake division, shall be available for refunds to the lessees in such cases where it becomes necessary to make refunds because of flooding or other reasons within the terms of such leases;

Columbia Basin project, Washington: Not to exceed \$1,300,000 from power revenues shall be available for operation, maintenance, and replacements, including operation and maintenance of camp and other facilities turned over by construction contractors, and similar facilities and the furnishing of services related thereto;

Yakima project, Washington: For operation and maintenance \$300,000: *Provided*, That not to exceed \$25,000 from power revenues shall be available for operation and maintenance of the power system;

Kendrick project, Wyoming: Not to exceed \$200,000 from the power revenues shall be available for the operation and maintenance of the power system;

Riverton project, Wyoming: For operation and maintenance, \$89,000: *Provided*, That not to exceed \$48,300 from the power revenues shall be available for the operation and maintenance of the commercial system;

Shoshone project, Wyoming: For operation and maintenance, \$50,000: *Provided*, That not to exceed \$79,400 from the power revenues shall be available for the operation and maintenance of the commercial system;

#### GENERAL PROVISIONS

Limitation of expenditures: Under the provisions of this Act no greater sum shall be expended, nor shall the United States be obligated to expend during the fiscal year 1948, on any reclamation project appropriated for herein under the reclamation fund, an amount in excess of the sum herein appropriated therefor, nor shall the whole expenditures or obligations incurred for all of such projects for the fiscal year 1948 exceed the whole amount in the reclamation fund for the fiscal year;

Interchange of appropriations: Ten per centum of the foregoing amounts for operation and maintenance projects shall be available interchangeably for expenditures on the reclamation projects named; but not more than 10 per centum shall be added to the amount appropriated for any one of said projects, except that should existing works or the water supply for lands under cultivation be endangered by floods or other unusual conditions, an amount sufficient to make necessary emergency repairs shall become available for expenditure by further transfer of appropriation from any of said projects upon approval of the Secretary;

Total, from reclamation fund, \$18,345,750.

#### GENERAL FUND, CONSTRUCTION

For continuation of construction of the following projects in not to exceed the following amounts to be immediately available, to remain available until expended for carrying out projects (including the construction of transmission lines) previously or herein authorized by Congress, and to be reimbursable under the reclamation law, except as provided in the Act of August 14, 1946 (Public Law 732), Seventy-ninth Congress:

Gila project, Arizona, \$1,400,000;

Davis Dam project, Arizona-Nevada, \$9,700,000;

Central Valley project, California: Joint facilities, \$690,000; irrigation facilities, \$5,622,028; power facilities, Shasta power plant, \$427,800, Keswick Dam, \$100,740, Keswick power plant, \$218,040; transmission lines, Shasta to Delta, via Oroville and Sacramento, two hundred and thirty kilovolt, \$256,680, Shasta Dam to Shasta substation, two hundred and thirty kilovolt, \$1,500,000, Keswick tap line, two hundred and thirty kilovolt, \$160,000, Contra Costa Canal extension, sixty-nine kilovolt, \$118,000; substation, Contra Costa, \$48,000; in all, \$9,141,288;

Kings River project, California, \$100,000;

Colorado-Big Thompson project, Colorado, \$9,500,000;

Hungry Horse project, Montana, \$2,500,000;

Columbia Basin project, Washington: For continuation of construction and for other purposes authorized by the Columbia Basin Project Act of March 10, 1943 (57 Stat. 14), \$17,500,000;

Total, general fund, construction, \$49,841,288.

60 Stat. 1080.  
16 U. S. C. §§ 661-666c.

*Post*, p. 944.

*Post*, p. 944.

*Post*, p. 944.

*Post*, p. 944.

16 U. S. C. §§ 835-835i.



## FORT PECK PROJECT

52 Stat. 403.

Fort Peck project, Montana: For construction of transmission lines, substations, and other facilities as may be required by the Bureau of Reclamation, as authorized by the Act of May 18, 1938 (16 U. S. C. 833), \$1,500,000, to be immediately available and to remain available until expended.

*Post*, p. 699.

## MISSOURI RIVER BASIN

58 Stat. 887.  
16 U. S. C. §§ 460d,  
825a; 33 U. S. C. §§  
701a-1, 701c and note,  
708, 709; 43 U. S. C.  
§ 380.  
60 Stat. 1080.  
16 U. S. C. §§ 661-  
666c.  
58 Stat. 891.  
60 Stat. 653.

Missouri River Basin (reimbursable except as provided in the Act of December 22, 1944 (Public Law 534), Seventy-eighth Congress, and the Act of August 14, 1946 (Public Law 732), Seventy-ninth Congress): For the partial accomplishment of the works to be undertaken by the Secretary of the Interior, pursuant to section 9 of the Act of December 22, 1944 (Public Law 534) and section 18 of the Flood Control Act of 1946 (Public Law 526) (including the construction of transmission lines and the purchase of power) and for continuing investigations on the general plan of development, \$17,000,000, to remain available until expended: *Provided*, That this appropriation shall be expended, either independently or through or in cooperation with existing Federal and State agencies.

## COLORADO RIVER DAM FUND

Boulder Canyon project: For operation, maintenance, and replacements of the dam, power plant, and other facilities, of the Boulder Canyon project, \$1,500,000, payable from the Colorado River dam fund.

## ADVANCES TO COLORADO RIVER DAM FUND

45 Stat. 1057.  
43 U. S. C. §§ 617-  
617t.  
*Ante*, p. 56.  
*Ante*, p. 183.

Boulder Canyon project: For continuation of construction of the Hoover Dam and incidental works in the main stream of the Colorado River at Black Canyon, to create a storage reservoir, and of a complete plant and incidental structures suitable for the fullest economic development of electrical energy from the water discharged from such reservoir; to acquire by proceedings in eminent domain, or otherwise, all lands, rights-of-way, and other property necessary for such purposes; and for incidental operations, as authorized by the Boulder Canyon Project Act, approved December 21, 1928 (43 U. S. C., ch. 12A), \$435,000, to be immediately available and to remain available until advanced to the Colorado River dam fund.

*Supra*.

Boulder Canyon project (All-American Canal): For continuation of construction of a diversion dam, main canal (and appurtenant structures) located entirely within the United States connecting the diversion dam with the Imperial and Coachella Valleys in California, and distribution and drainage systems; to acquire by proceedings in eminent domain, or otherwise, all lands, rights-of-way, and other property necessary for such purposes; and for incidental operations as authorized by the Boulder Canyon Project Act, approved December 21, 1928 (43 U. S. C., ch. 12A); to be immediately available, and to remain available until advanced to the Colorado River dam fund, \$3,245,000.

## COLORADO RIVER DEVELOPMENT FUND

43 U. S. C. § 618a.

Colorado River development fund (expenditure account): For investigations of projects for the utilization of waters of the Colorado River system in the four States of the upper division, as authorized by section 2 of the Boulder Canyon Project Adjustment Act, approved July 19, 1940 (54 Stat. 774), \$500,000 from the Colorado River development fund (holding account), the unobligated balance of said amount

at the end of the fiscal year to revert to the fund: *Provided*, That no part of this appropriation shall be available for the preparation of any comprehensive plan or project report the estimates for which are not based upon current prices and costs.

#### COLORADO RIVER FRONT WORK AND LEVEE SYSTEM

For operating and maintaining the Colorado River front work and levee system in Arizona, Nevada, and California; constructing, improving, extending, operating, and maintaining protection and drainage works and systems along the Colorado River; controlling said river and improving, modifying, straightening, and rectifying the channel thereof; and conducting investigations and studies in connection therewith; as authorized by Public Law 469, approved June 28, 1946; \$1,000,000, to remain available until expended.

60 Stat. 338.

For the purpose of effecting settlement of war veterans on public land reclamation projects and to provide facilities for veteran employment in construction and operation of reclamation projects, the property, buildings, equipment, material, and acquired lands heretofore or hereafter declared surplus at the Yuma Army air base, Yuma, Arizona, shall be transferred to the Bureau of Reclamation by any Federal agency having custody or ownership, without exchange of funds, and to be available for the same purpose and to be disposed of in the same manner as the war relocation centers and the prisoner-of-war camp transferred to the Bureau of Reclamation in the Interior Department Appropriation Act, 1947.

Transfer of surplus property.

No part of any construction appropriation for the Bureau of Reclamation contained in this Act shall be available for construction work by force account, or on a hired-labor basis except for management and operation, maintenance and repairs, engineering and supervision, routine minor construction work, or in case of emergencies, local in character, so declared by the Commissioner of the Bureau of Reclamation.

60 Stat. 369.  
Restriction.

#### GEOLOGICAL SURVEY

For salaries and expenses necessary for the Geological Survey, including personal services in the District of Columbia; purchase of not to exceed one hundred and forty-six and hire of passenger motor vehicles and the maintenance and operation of aircraft; and exchange of unserviceable passenger and freight vehicles as part payment for new freight vehicles; as follows:

General expenses.

Salaries and expenses: For personal services in the District of Columbia, and other expenses, \$232,340;

Topographic surveys: For topographic surveys in the United States, Alaska, the Virgin Islands, and Puerto Rico, \$3,000,000, of which not to exceed \$475,000 may be expended for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be expended in cooperation with States or municipalities except upon the basis of the State or municipality bearing all of the expense incident thereto in excess of such an amount as is necessary for the Geological Survey to perform its share of standard topographic surveys, such share of the Geological Survey in no case exceeding 50 per centum of the cost of the survey: *Provided further*, That \$517,000 of this amount shall be available only for such cooperation with States or municipalities;

Cooperation with States, etc.

Geologic surveys: For geologic surveys in the United States and chemical and physical researches relative thereto, \$2,300,000 of which not to exceed \$500,000 may be expended for personal services in the District of Columbia;

Amount available.

Mineral resources of Alaska: For investigation of the mineral resources of Alaska, \$250,000, of which not to exceed \$85,000 may be expended for personal services in the District of Columbia;

Cooperation with States.

Limitation.

Negotiation of compact.

59 Stat. 53.

Gaging streams: For gaging streams and determining the water supply of the United States, its Territories and possessions, investigating underground currents and artesian wells and methods of utilizing the water resources, \$2,625,000, of which not to exceed \$10,000 may be expended for acquiring lands at gaging stations, and not to exceed \$265,000 may be expended for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be expended in cooperation with States or municipalities except upon the basis of the State or municipality bearing all of the expense incident thereto, in excess of such an amount as is necessary for the Geological Survey to perform its share of general water resource investigations, such share of the Geological Survey in no case exceeding 50 per centum of the cost of the investigation: *Provided further*, That \$1,586,500 of this amount shall be available only for such cooperation with States or municipalities: *Provided further*, That no part of the funds appropriated in this paragraph shall be used for the payment, directly or indirectly, for the drilling of water wells for the purpose of supplying water for domestic use: *Provided further*, That not to exceed \$10,000 of this appropriation shall be available for payment of the compensation and expenses of the person appointed by the President pursuant to Public Law 34, Seventy-ninth Congress, to participate as the representative of the United States in the negotiation of a compact between the States of Colorado and Kansas relative to the division of the waters of the Arkansas River and its tributaries: *Provided further*, That, notwithstanding the provisions of any other law to the contrary, the President is authorized to appoint a retired officer of the Army as such representative without prejudice to his status as a retired Army officer who shall receive such compensation and expenses in addition to his retired pay;

Classification of lands: For the examination and classification of lands with respect to mineral character and water resources as required by the public land laws and for related administrative operations; for the preparation and publication of mineral-land classification and water-resources maps and reports; for engineering supervision of power permits and grants under the jurisdiction of the Secretary; and for performance of work for the Federal Power Commission, \$245,000, of which not to exceed \$56,500 may be expended for personal services in the District of Columbia;

Printing and binding, and so forth: For printing and binding, including the purchase of reprints of scientific and technical articles published in periodicals and journals, \$120,000; for preparation of illustrations, \$32,000; and for engraving and printing geologic and topographic maps, \$237,000; in all, \$389,000;

38 Stat. 742; 40 Stat. 297; 41 Stat. 437, 1363, *Post*, p. 913.

Mineral leasing: For the enforcement of the provisions of the Acts of October 20, 1914 (48 U. S. C. 435), October 2, 1917 (30 U. S. C. 141), February 25, 1920 (30 U. S. C. 181), as amended, and March 4, 1921 (48 U. S. C. 444), and other Acts relating to the mining and recovery of minerals on Indian and public lands and naval petroleum reserves, and for necessary related operations; and for every expense incident thereto, including supplies, equipment, travel, and the construction, maintenance, and repair of necessary camp buildings and appurtenances thereto, \$650,000, of which not to exceed \$78,600 may be expended for personal services in the District of Columbia;

Cooperative advance: To enable the Geological Survey to meet obligations incurred by it arising from cooperative work pending reimbursement from cooperating agencies; \$400,000, which amount shall

be returned to the Treasury not later than six months after the close of the fiscal year 1948 out of reimbursements received from cooperating agencies;

During the fiscal year 1948 the head of any department or independent establishment of the Government having funds available for scientific and technical investigations within the scope of the functions of the Geological Survey may, with the approval of the Secretary, transfer to the Geological Survey such sums as may be necessary therefor, which sums so transferred may be expended for the same objects and in the same manner as sums appropriated herein may be expended: *Provided*, That not to exceed 5 per centum of any of the appropriations for the Geological Survey may be transferred to any other of such appropriations, but no appropriation shall be increased more than 5 per centum thereby. Any such transfer shall be reported to Congress in the annual Budget;

The Geological Survey is hereby authorized to acquire by transfer without exchange of funds, for two years beginning July 1, 1947, from the War Department, the Navy Department, or the War Assets Administration, equipment, materials, and supplies of all kinds, with an appraised value of not to exceed \$500,000 from the surplus stores of these agencies: *Provided*, That the authorization in this paragraph shall not be construed to deny to veterans the priority accorded to them in obtaining surplus property under Public Law 375, approved May 3, 1946;

In all, salaries and expenses, Geological Survey, \$10,091,340.

## BUREAU OF MINES

Salaries and expenses: For expenses necessary for the general administration of the Bureau of Mines, including \$93,000 for personal services in the District of Columbia, and \$65,000 for printing and binding, including the purchase of reprints of scientific and technical articles published in periodicals and journals, \$162,500.

Operating mine-rescue cars and stations and investigation of mine accidents: For expenses necessary for the investigation and improvement of mine-rescue and first-aid methods and appliances and the teaching of mine safety, rescue, and first-aid methods; investigations as to the causes of mine explosions, causes of falls of roof and coal, methods of mining, especially in relation to the safety of miners, the possible improvement of conditions under which mining operations are carried on, the use of explosives and electricity, the prevention of accidents, statistical studies and reports relating to mine accidents, and other investigations pertinent to the mining industry; including the construction of temporary buildings; equipment and supplies; travel expenses of employees in attendance at meetings and conferences held for the purpose of promoting safety and health in the mining and allied industries; and not to exceed \$92,000 for personal services in the District of Columbia, \$1,148,000, of which not to exceed \$500 may be expended for the purchase and bestowal of trophies in connection with mine-rescue and first-aid contests.

Coal-mine inspections and investigations: For expenses necessary to enable the Bureau of Mines to perform the duties imposed upon it by the Act of May 7, 1941 (55 Stat. 177); including not to exceed \$100,000 for personal services in the District of Columbia; purchase in the District of Columbia and elsewhere of furniture and equipment, stationery and supplies; operation, maintenance, and repair of motor-propelled trucks and other motor vehicles for official use and in transporting employees between their homes and temporary locations where they may be employed and expenses of employees in attendance at

Cooperative work on scientific, etc., investigations.  
Transfer of funds.

Interchange of amounts.

Report to Congress.

Acquisition of surplus supplies.

60 Stat. 168.  
50 U. S. C. app.  
§§ 1621, 1622, 1625, 1627.

Personal services.

Post, p. 699.

30 U. S. C. §§ 4f-4o.  
Post, p. 725.

meetings and conferences held for promoting safety and health in the coal-mining industry; \$1,625,000.

Recommendations  
to Government  
agencies.

Testing fuel: For expenses necessary to conduct inquiries and scientific and technologic investigations concerning the mining, preparation, treatment, and use of mineral fuels, and for investigation of mineral fuels belonging to or for the use of the United States, with a view to their most efficient utilization; to recommend to various departments such changes in selection and use of fuel as may result in greater economy, and, upon request of the Director of the Bureau of the Budget, to investigate the fuel-burning equipment in use by or proposed for any of the departments, establishments, or institutions of the United States in the District of Columbia; \$400,000, of which not to exceed \$93,500 may be expended for personal services in the District of Columbia.

Anthracite investigations: For expenses necessary to conduct inquiries and scientific and technologic investigations concerning the mining, preparation, treatment, and use of anthracite coals; including items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior"; and not to exceed \$7,500 for personal services in the District of Columbia, \$105,000.

Anthracite Research Laboratory: For the construction and equipment of an anthracite research laboratory at Schuylkill Haven, Pennsylvania, including not to exceed \$25,000 for employment by contract, or otherwise, at such rates of compensation as the Secretary may determine, of engineers, architects, or firms or corporations thereof necessary to design and construct said laboratory; and the purchase, maintenance, and operation of not to exceed one passenger automobile, \$450,000.

41 U. S. C. § 5.

58 Stat. 190.

Transportation.

Pooling of equipment.

Synthetic liquid fuels: For expenses, without regard to section 3709, Revised Statutes, as amended, necessary to carry into effect the Act authorizing the construction and operation of demonstration plants to produce synthetic liquid fuels from coal, oil shales, agricultural and forestry products, and so forth, approved April 5, 1944 (30 U. S. C. 321-325), including construction and acquirement of camp and laboratory buildings and equipment, personal services in the District of Columbia (not exceeding \$100,000); purchase of not to exceed two passenger motor vehicles; printing and binding; and purchase in the District of Columbia and elsewhere of items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior", \$3,000,000, to remain available until expended: *Provided*, That these funds may be utilized to provide transportation between the proposed plants and related facilities and communities that provide adequate living accommodations of persons engaged in the operation and maintenance of these plants; and for transportation to and from schools of pupils who are dependents of such persons: *Provided further*, That pursuant to agreements approved by the Secretary, the transportation equipment available to the Bureau of Mines may be pooled with that of school districts and other local or Federal agencies for use in transporting persons engaged in operation and maintenance of these plants, pupils who are dependents of such persons, and other pupils, and in the interest of economy the expenses of operating such equipment may be shared.

Mineral mining investigations: For scientific and technologic investigations concerning the mining, preparation, treatment, and utilization of ores and mineral substances, other than fuels, with a view to improving health conditions and increasing safety, efficiency, and economy in the mining, quarrying, metallurgical, and other mineral industries; including all equipment, supplies, expenses of travel, and not to exceed \$40,000 for personal services in the District of

Columbia, \$440,300: *Provided*, That no part of this appropriation may be expended for an investigation in behalf of any private party.

Investigation and development of domestic mineral deposits, except fuels: For expenses necessary to enable the Bureau of Mines to investigate, develop, and experimentally mine, on public lands and with the consent of the owner on private lands, deposits of minerals in the United States and its possessions, including surface and subsurface investigations, laboratory tests, the construction, maintenance, and repair of necessary camp buildings, core storage facilities, mining structures and appurtenances, the lease of lands or buildings; and not to exceed \$39,200 for personal services in the District of Columbia, \$1,060,000: *Provided*, That the Director of the Bureau of Mines, for the purposes of this appropriation, is authorized to accept lands, buildings, equipment, and other contributions from public or private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private.

Restriction.

Acceptance of lands,  
etc.

Coal investigations: For expenses necessary to enable the Bureau of Mines to investigate known coal deposits in the United States and its possessions; including purchase of not to exceed one passenger motor vehicle; and items otherwise properly chargeable to the appropriation, "Contingent expenses, Department of the Interior"; and not to exceed \$7,500 for personal services in the District of Columbia; \$75,000: *Provided*, That the Director of the Bureau of Mines is authorized to carry on such investigations in cooperation with other agencies, Federal, State, or private: *Provided further*, That the said Director is hereby authorized and directed to make suitable arrangements with owners of private property upon which exploration or development work is performed for payment by such owners of a reasonable percentage, as determined by the Secretary of the Interior, of the total value of the minerals thereafter produced from such property.

Investigations.

Payment by owner  
of private property.

Oil and gas investigations: For inquiries and investigations and dissemination of information concerning the mining, preparation, treatment, and utilization of petroleum and natural gas, and for every expense incident thereto, including purchase of not to exceed five passenger motor vehicles; purchase, in the District of Columbia and elsewhere of other items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior"; \$600,000, of which not to exceed \$41,500 may be expended for personal services in the District of Columbia.

Mining experiment stations: For personal services, purchase of not to exceed four passenger motor vehicles, and other expenses in connection with the establishment, maintenance, and operation of mining experiment stations, as provided in the Act of March 3, 1915 (30 U. S. C. 8), \$1,060,000, of which not to exceed \$38,500 may be expended for personal services in the District of Columbia.

38 Stat. 959.

Metallurgical research and pilot plants: For expenses necessary to enable the Bureau of Mines to conduct laboratory, pilot plant, and demonstration plant tests to establish methods for more effectively utilizing the mineral resources in the United States and its possessions, including the lease of lands or buildings; research on and development of processes for production and utilization of metals and nonmetallic minerals; construction of buildings to house laboratories, pilot plants, and demonstration plants; and other items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior"; and not to exceed \$29,000 for personal services in the District of Columbia; \$1,000,000: *Provided*, That the Director of the Bureau of Mines, for the purposes of this appropriation, is authorized to accept lands, buildings, equipment, and other

contributions from public or private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private.

**Buildings and grounds, Pittsburgh, Pennsylvania:** For care and maintenance of buildings and grounds at Pittsburgh and Bruceton, Pennsylvania, including personal services, and other expenses requisite for and incident thereto, including not to exceed \$8,500 for additions and improvements, \$140,000.

**Economics of mineral industries:** For investigations, and the dissemination of information concerning the economic problems of the mining, quarrying, metallurgical, and other mineral industries, with a view to assuring ample supplies and efficient distribution of the mineral products of the mines and quarries, including studies and reports relating to uses, reserves, production, distribution, stocks, consumption, prices, and marketing of mineral commodities and primary products thereof; preparation of the reports of the mineral resources of the United States, including special statistical inquiries; purchase of furniture and equipment; stationery and supplies; and other necessary expenses not included in the foregoing, \$680,000, of which not to exceed \$580,000 may be expended for personal services in the District of Columbia.

**Helium utilization and research:** For expenses necessary to conduct inquiries and scientific and technologic investigations concerning resources, production, repurification, storage, and utilization of helium, independently or in cooperation with other agencies, public or private; including purchase of not to exceed one passenger motor vehicle; and other items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior"; \$90,000, including not to exceed \$9,000 for personal services in the District of Columbia.

Transfer of funds.

**Helium production and investigations:** The sums made available for the fiscal year 1948 in the Acts making appropriations for the War and Navy Departments for the acquisition of helium from the Bureau of Mines shall be transferred to the Bureau of Mines on July 1, 1947, for operation and maintenance of the plants for the production of helium for military and naval purposes, including purchase of eight passenger motor vehicles; the purchase in the District of Columbia and elsewhere of items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior" (not exceeding \$5,000); and \$46,500 for personal services in the District of Columbia: *Provided*, That section 3709, Revised Statutes, as amended, shall not be construed to apply to this appropriation, or to the appropriation for development and operation of helium properties (special fund) in section 3 (c) of the Act of September 1, 1937 (50 U. S. C. 164): *Provided further*, That funds available for the production of helium and the development of helium properties may be utilized to provide transportation between helium plants and related facilities and communities that provide adequate living accommodations of persons engaged in the operation and maintenance of helium plants; and for transportation to and from schools of pupils who are dependents of such persons: *Provided further*, That pursuant to agreements approved by the Secretary, the transportation equipment available to the Bureau of Mines may be pooled with that of school districts and other local or Federal agencies for use in transporting persons engaged in operation and maintenance of helium plants, pupils who are dependents of such persons, and other pupils, and in the interest of economy the expenses of operating such equipment may be shared.

41 U. S. C. § 5.

50 Stat. 887.

Transportation.

Pooling of equipment.

Scientific investigations.

During the fiscal year 1948 the head of any department or independent establishment of the Government having funds available for scientific investigations within the scope of the functions of the Bureau of Mines may, with the approval of the Secretary, transfer

to the Bureau such sums as may be necessary therefor, which sums so transferred may be expended for the same objects and in the same manner as sums appropriated herein may be expended.

The Federal Security Administrator may detail medical officers of the Public Health Service for cooperative health, safety, or sanitation work with the Bureau of Mines, and the compensation and expenses of the officers so detailed may be paid from the applicable appropriations made herein for the Bureau of Mines.

Detail of medical officers.

The Bureau of Mines is authorized, during the fiscal year 1948, to sell directly or through any Government agency, including corporations, any metal or mineral product that may be manufactured in pilot plants operated from funds appropriated to the Bureau of Mines, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts.

Sale of mineral products.

The following appropriations herein made to the Bureau of Mines shall be available for the hire, maintenance, and operation of aircraft: "Operating rescue cars and stations and investigation of accidents"; "Investigation and development of domestic mineral deposits, except fuels"; and "Metallurgical research and pilot plants".

Aircraft.

The Department of Commerce is authorized to transfer to the Department of the Interior for the use of the Bureau of Mines, without compensation therefor, full jurisdiction, possession, and control of the United States Weather Bureau Station at Mount Weather, in the counties of Loudoun and Clarke, State of Virginia, together with all buildings, improvements, furniture, and fixtures now in or upon the land.

U. S. Weather Bureau Station, Mount Weather, Va.

The Bureau of Mines is hereby authorized to acquire by transfer without exchange of funds, for three years, beginning July 1, 1947, from the War Department, the Navy Department, or the War Assets Administration, buildings, equipment, materials, and supplies of all kinds with an appraised value of not to exceed \$3,000,000 from the surplus stores of these agencies, for use in performing its functions by the Bureau of Mines or by any office of the Bureau in the United States and Alaska: *Provided*, That the authorization in this paragraph for transfer of surplus property to the Bureau of Mines shall not be construed to deny to veterans the priority accorded to them in obtaining surplus property under Public Law 375, approved May 3, 1946.

Acquisition of surplus property.

60 Stat. 168.  
50 U. S. C. app.  
§§ 1621, 1622, 1625, 1627.

## NATIONAL PARK SERVICE

Salaries and expenses: For expenses, including personal services in the District of Columbia, necessary for the general administration of the National Park Service, including \$62,500 for printing and binding, \$711,248.

Regional offices: For expenses of regional offices, \$659,407.

National parks: For administration, protection, maintenance, and improvement of national parks, including necessary protection of the area of federally owned land in the custody of the National Park Service known as the Ocean Strip and Queets Corridor, adjacent to Olympic National Park, Washington, \$3,500,000.

Post, p. 621.

National monument, historical, and military areas: For administration, protection, maintenance, improvement, and preservation of national monuments, historical parks, memorials, historic sites, military parks, battlefields, and cemeteries, including not exceeding \$308 for right-of-way easements across privately owned railroad lands necessary for supplying water to the Statue of Liberty National Monument, and the maintenance of structures on the former Cape Hatteras Light Station Reservation within the Cape Hatteras National Seashore Recreational Area project, \$1,496,000.

Post, p. 621.



**Recreational areas:** For administration, protection, maintenance, and improvement, pursuant to cooperative agreements, of areas devoted to recreational use which are under the jurisdiction of other Federal agencies, \$260,400.

**Emergency reconstruction and fighting forest fires:** For reconstruction, replacement, and repair of roads, trails, bridges, buildings, and other physical improvements and of equipment in areas under the jurisdiction of the National Park Service that are damaged or destroyed by flood, fire, storm, or other unavoidable causes, and for fighting or emergency prevention of forest fires in areas administered by the National Park Service, or fires that endanger such areas, including lands in process of condemnation for national park or monument purposes, \$30,000, together with such sums as may be necessary to be transferred upon the approval of the Secretary from the foregoing appropriations for the National Park Service, any such diversions of appropriations to be reported to Congress in the annual Budget: *Provided*, That the allotment of these funds to the various areas administered by the National Park Service as may be required for fire-fighting purposes shall be made by the Secretary only after the obligation for the expenditure has been incurred.

**Accounting.**  
**Interchange of amounts.** The total of the foregoing amounts shall be available in one fund for the National Park Service: *Provided*, That 5 per centum of the foregoing amounts shall be available interchangeably and any such diversion of funds shall be reported to Congress in the annual Budget.

**Investigation and purchase of water rights:** For the investigation and establishment of water rights, including the acquisition thereof or of lands or interests in lands or rights-of-way for use and protection of water rights necessary or beneficial in the administration and public use of areas under the jurisdiction of the National Park Service, to remain available until expended, \$15,000.

**Travel Bureau:** For expenses necessary in carrying out the Act of July 19, 1940 (16 U. S. C. 18), including personal services in the District of Columbia; participation by the Travel Bureau in international expositions and conferences dealing with travel; and printing and binding; \$75,000.

**Recreational demonstration areas:** For administration, protection, operation, and maintenance of recreational demonstration areas, \$30,000.

**National Capital parks.** Salaries and expenses, National Capital parks: For administration, protection, maintenance, and improvement of the Arlington Memorial Bridge, George Washington Memorial Parkway, monuments and memorials in the District of Columbia and area adjacent thereto, Lee Mansion, Battleground National Cemetery, Chopawamsic Park, Chesapeake and Ohio Canal, Federal parks in the District of Columbia, and other Federal lands authorized by the Act of May 29, 1930 (46 Stat. 482), including the pay and allowances in accordance with the provisions of the Act of May 27, 1924 (43 Stat. 174), as amended, of the United States park police force, purchase of revolvers and ammunition, purchase, cleaning, and repair of uniforms for police, guards, and elevator conductors, and equipment, per diem employees at rates of pay approved by the Secretary not exceeding current rates for similar services in the District of Columbia, stenographic reporting service, carfare, and newspapers (not to exceed \$100), \$770,000.

**Studies of recreational resources, etc.** For investigations and studies of the recreational resources and the archeological remains in the river basins of the United States (except the Missouri River Basin), including reports, recommendations, and plans, in cooperation with the United States Corps of Engineers and

54 Stat. 773.  
16 U. S. C. §§ 18-18d.

D. C. Code §§ 8-102  
note, 8-106 note.

D. C. Code § 4-201  
*et seq.*

the Bureau of Reclamation pursuant to the provisions of cooperative agreements, and including personal services in the District of Columbia, \$121,000.

Acquisition of lands: For the acquisition of privately owned lands or interests therein, including expenses incidental thereto, \$200,000, to remain available until expended, of which \$30,000 shall be for lands necessary to the establishment of the George Washington Carver National Monument, Missouri, authorized by the Act of July 14, 1943 (Public Law 148); and \$170,000 shall be for lands located within the authorized boundaries of established areas under the jurisdiction of the National Park Service, of which \$130,000 shall be available only for lands within the Fredericksburg and Spotsylvania County Battlefields Memorial and Gettysburg National Military Parks; Joshua Tree National Monument; and Glacier, Grand Canyon, Great Smoky Mountains, Kings Canyon, Lassen Volcanic, Mount Rainier, Olympic, Rocky Mountain, Sequoia, Yosemite, and Zion National Parks.

For the construction, reconstruction, improvement, repair, and maintenance of roads, trails, utilities, and buildings without regard to the Act of August 24, 1912, as amended (16 U. S. C. 451), including personal services in the District of Columbia, \$2,150,000, to remain available until expended, of which \$1,415,000 shall be for roads and trails as authorized by section 10a of the Act of December 20, 1944 (Public Law 521), and the maintenance of road sections specifically authorized by the Act of August 7, 1946 (Public Law 633); and \$735,000 for the construction and repair of buildings and utilities not otherwise provided for, including completion of the acquisition of rights-of-way and construction of a water supply line partly outside of the boundaries of Mesa Verde National Park as authorized by said Act of August 7, 1946.

Appropriations herein made for the national parks, national monuments, and other reservations under the jurisdiction of the National Park Service, shall be available for the giving of educational lectures therein and vicinity; for the services of field employees in cooperation with such nonprofit scientific and historical societies engaged in educational work in the various parks and monuments as the Secretary may designate; for travel expenses of employees attending Government camps for training in forest-fire prevention and suppression and the Federal Bureau of Investigation National Police Academy, and attending Federal, State, or municipal schools for training in building fire prevention and suppression; for necessary local transportation and subsistence in kind of persons selected for employment or as cooperators, serving without other compensation while attending fire-protection training camps; and for official telephone service in the field in the case of official telephones installed in private houses when authorized under regulations established by the Secretary.

Appropriations available to the National Park Service shall be available for the purchase of not to exceed forty, and hire of passenger motor vehicles.

57 Stat. 563.  
16 U. S. C. §§ 450aa-450aa-2.

Construction of roads, etc.

37 Stat. 460.

58 Stat. 842.

60 Stat. 885.  
16 U. S. C. § 17j-2.

Educational lectures, etc.

Telephone service in the field.

Motor vehicles.

## FISH AND WILDLIFE SERVICE

### SALARIES AND EXPENSES

For expenses necessary in conducting investigations and carrying out the work of the Service, including cooperation with Federal, State, county, or other agencies or with farm bureaus, organizations, or individuals, as follows:

General administrative expenses: For general administrative purposes, including personal services in the District of Columbia, \$246,470, of which sum \$30,000 shall be available for printing and binding, including the purchase of reprints of scientific and technical articles published in periodicals and journals and the publication of bulletins which shall be adapted to the interests of the people of the different sections of the country, an equal proportion of four-fifths of the bulletins to be delivered to or sent out under addressed franks furnished by the Senators, Representatives, and Delegates in Congress as they may direct.

Propagation of food fishes: For maintenance, repair, alteration, improvement, equipment, and operation of fish-cultural stations, including the erection of necessary buildings and other structures; propagation and distribution of food fishes and fresh-water mussels; development, recommendation, and application of means, including the construction of devices, to assure natural propagation and maximum survival of hatchery and other fishes; purchase, collection, and transportation of specimens and other expenses incidental to the maintenance and operation of aquarium, \$1,344,850.

Operation and maintenance of fish screens: For operation and maintenance, in cooperation with the Bureau of Reclamation and the Bureau of Indian Affairs, or either, of fish screens and ladders on Federal irrigation projects, and for the conduct of investigations and surveys, the preparation of designs, and for determining the requirements for fishways and other fish protective devices at dams constructed under licenses issued by the Federal Power Commission, \$36,300.

Investigations respecting food fishes: For investigations and studies into the cause of the decrease of food fishes, and other aquatic and plant resources, in connection therewith, and of means of securing a maximum sustained yield from such resources, including not to exceed \$20,000 to investigate and eradicate the predatory sea lampreys of the Great Lakes as authorized by joint resolution of August 8, 1946, Public Law 672; and maintenance, repair, improvement, equipment, and operation of fishery-experiment and biological stations, \$790,040.

Commercial fisheries: For collection and compilation of fishery statistics and related information; conducting investigations and studies of methods and means of capture, preservation, utilization, and distribution of fish and aquatic plants and products thereof, including investigation, study and research with respect to the utilization of packed sardines and the development of methods and procedures which should be employed in improving the quality and appearance of packed sardines; maintenance, repair, alteration, improvement, equipment, and operation of laboratories and vessels; and enforcing the applicable provisions of the Act authorizing associations of producers of aquatic products (15 U. S. C. 521); including contract stenographic reporting services, \$225,000.

Fishery market news service: For collecting, publishing, and distributing, by telegraph, mail, or otherwise, information on the fishery industry, market supply and demand, commercial movement, location, disposition, and market prices of fishery products, \$125,000.

Alaska fisheries: For protecting the seal, sea otter, and other fisheries of Alaska, including the furnishing of food, fuel, clothing, and other necessities of life to the natives of the Pribilof Islands of Alaska; construction, improvement, repair, and alteration of buildings and roads, and subsistence of employees while on said islands; and contract stenographic reporting service, \$850,000.

Alaska fur-seal investigations: For investigations of Alaska fur seals pursuant to the Act of February 26, 1944 (16 U. S. C. 631i), \$69,300.

60 Stat. 930.  
16 U. S. C. §§921-  
923.

Packed sardines.

48 Stat. 1213.

58 Stat. 102.

**Enforcement of Black Bass and Whaling Treaty Acts:** For enforcement of the Act of July 2, 1930, and the Act of May 1, 1936 (16 U. S. C. 851-855, 901-915), \$22,400.

46 Stat. 845.  
49 Stat. 1246.  
*Post*, p. 517.

**Biological investigations:** For biological investigations of the relations, habits, geographic distribution, and migration of animals, including the resources thereof, and plants, and the preparation of maps of the life zones; for investigations of the relations of wild animal life to forests, under section 5 of the Act approved May 22, 1928 (16 U. S. C. 581d); for investigations, experiments, and demonstrations, independently or in cooperation with other agencies or individuals, in developing and applying methods for the control of damage to agricultural and horticultural crops by birds, and for investigations of the wildlife resources of the Territory of Alaska, \$258,450.

45 Stat. 701.

**Control of predatory animals and injurious rodents:** For investigations and demonstrations in destroying animals injurious to agriculture, horticulture, forestry, animal husbandry, and wild game, and in protecting stock and other domestic animals through the suppression of rabies and other diseases in predatory wild animals as authorized by law (7 U. S. C. 426), including not to exceed \$3,000 for the purchase of printed bags, tags, and labels; and for repairs, additions, and installations in and about the grounds and buildings of the game-management supply depot and laboratory at Pocatello, Idaho, including purchase, transportation, and handling of supplies and materials for distribution from said depot to other projects, in accordance with the provisions of the Act approved June 24, 1936 (16 U. S. C. 667), \$900,000.

46 Stat. 1468.  
7 U. S. C. §§ 426-426b.  
Pocatello, Idaho, depot and laboratory.

49 Stat. 1913.

**Protection of Migratory birds:** For the enforcement of the Migratory Bird Treaty Act of July 3, 1918, as amended, to carry into effect the treaty with Great Britain and the convention between the United States and the United Mexican States (16 U. S. C. 703-711); for cooperation with local authorities in the protection of migratory birds, including necessary investigations; for the enforcement of the Act for the protection of the bald eagle (16 U. S. C. 668-668d); for the enforcement of sections 241-244 of the Act approved March 4, 1909, as amended (18 U. S. C. 391-394), and for the enforcement of section 1 of the Act approved May 25, 1900 (16 U. S. C. 701), including necessary investigations, \$350,000, of which not to exceed \$10,000 may be expended in the discretion of the Secretary for the purpose of securing information concerning violations of the laws for the enforcement of which this appropriation is made available.

40 Stat. 755.

54 Stat. 250.  
35 Stat. 1137.

31 Stat. 187.  
Securing information of law violations.

**Enforcement of Alaska game law:** For the enforcement of the Act of January 13, 1925, as amended (48 U. S. C. 192-211), \$175,000, of which not to exceed \$10,000 may be expended in the discretion of the Secretary for the purpose of securing information in connection with and for the prosecution of violators of the law for the enforcement of which this appropriation is made available.

43 Stat. 739.

**Maintenance of mammal and bird reservations:** For the administration, protection, and maintenance of mammal and bird reservations and the maintenance and protection of game introduced into suitable localities on public lands, under supervision of the Fish and Wildlife Service, including construction of fencing, wardens' quarters, shelters for animals, landings, roads, trails, bridges, ditches, telephone lines, rockwork, bulkheads, repair of damage to public roads within reservation areas occasioned by authorized operations of the Fish and Wildlife Service, and other improvements necessary for economical administration; for the purchase, capture, and transportation of game for national reservations; and for the maintenance

*Post*, p. 621.

of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge, \$900,000.

48 Stat. 401.

River basin studies: For investigations and studies to determine the effects on fish and wildlife resources of proposed developments of river basins of the United States (except the Missouri River Basin), and for the preparation of reports thereon in accordance with the Act of March 10, 1934 (16 U. S. C. 661-666), as amended, \$200,000.

In all, salaries and expenses, \$6,492,810.

#### MIGRATORY BIRD CONSERVATION FUND

48 Stat. 451.  
16 U. S. C. § 718d.

For carrying into effect section 4 of the Act of March 16, 1934, as amended (16 U. S. C. 718-718h), an amount equal to the sum received during the fiscal year 1948 from the proceeds from the sale of stamps, to be warranted monthly and to remain available until expended; and in addition thereto an amount equal to the unobligated balance on June 30, 1947, of the total of the proceeds received from the sale of stamps prior to July 1, 1947, also to remain available until expended and to be available for the payment of obligations chargeable against appropriations heretofore made.

#### FEDERAL AID IN WILDLIFE RESTORATION

50 Stat. 917.

For carrying out the provisions of the Act of September 2, 1937, as amended (16 U. S. C. 669-669j), an amount equal to the sum credited during the fiscal year 1947 to the special fund created by said Act: *Provided*, That not exceeding 20 per centum of the amount allocated to any State shall be available for the construction of improvements.

Reimbursements.

49 Stat. 1913.

Interchange of  
amounts.

Transfer of surplus  
property.

Total, Fish and Wildlife Service, \$6,492,810, and in addition thereto, funds made available under the Migratory Bird Conservation Fund and the fund for Federal Aid in Wildlife Restoration, of which amounts not to exceed \$1,082,700 may be expended for departmental personal services, including such services in the District of Columbia. Funds available for the work of the Fish and Wildlife Service shall be available for the purchase of not to exceed fifty passenger motor vehicles; hire, maintenance, and operation of aircraft; the installation and operation of telephones in Government-owned residences, apartments, or quarters occupied by employees of the Fish and Wildlife Service; providing by purchase, construction, or otherwise, facilities incident to such public recreational uses of wildlife refuges as are not inconsistent with the primary purposes of such refuges; newspapers (not to exceed \$100) plans and specifications for vessels, or for contract personal services for the preparation thereof without regard to section 3709, Revised Statutes, as amended (41 U. S. C. 5); and rations for officers and crews of vessels; and for the expenditure from appropriations available for the purchase of lands of not to exceed \$1 for each option to purchase any tract of land. Reimbursements for the cost of supplies and materials and the transportation and handling thereof issued from central warehouses authorized to be established by the Act of June 24, 1936 (16 U. S. C. 667), may be credited to the appropriation current at the time supplies and materials are allotted, assigned, or issued, or at the time such reimbursements are received. Not to exceed 5 per centum of the foregoing amounts for expenses of the Fish and Wildlife Service shall be available interchangeably for expenditure on the objects included within the general expenses of said Service, but no more than 5 per centum shall be added to any one item or appropriation. The War

and Navy Departments, the Civil Aeronautics Administration, and the War Assets Administration are authorized to transfer to the Fish and Wildlife Service aircraft for replacement purposes only (but not necessarily of the same size or type or at the same locations), and such other equipment, materials, and supplies (with an appraised value of not to exceed \$500,000), surplus to the needs of such agencies, as may be required by said Service, such transfers to be without charge therefor; and in addition the Navy Department, the Coast Guard, and the Maritime Commission are authorized to transfer without charge therefor vessels for replacement purposes only (but not necessarily of the same size or type or at the same locations) marine engines, parts and accessories surplus to the needs of such agencies: *Provided*, That the authorization in this paragraph shall not be construed to deny to veterans the priority accorded to them in obtaining surplus property under Public Law 375, approved May 3, 1946.

60 Stat. 168.  
50 U. S. C. app.  
§§ 1621, 1622, 1625, 1627.

## GOVERNMENT IN THE TERRITORIES

### TERRITORY OF ALASKA

For necessary expenses of the offices of the Governor and the Secretary, including salaries of the Governor and Secretary; printing and binding; maintenance, repair, and preservation of Governor's house and grounds, \$60,000, to be expended under the direction of the Governor.

For the establishment and maintenance of public schools, Territory of Alaska, \$50,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Public schools.

48 Stat. 1227.  
31 U. S. C. § 725c.

Insane of Alaska: For care and custody of persons legally adjudged insane in Alaska, including compensation and travel expenses of medical supervisor, transportation, burial, and other expenses, \$334,700: *Provided*, That authority is granted to the Secretary to pay from this appropriation to the Sanitarium Company, of Portland, Oregon, or to other contracting institution or institutions, for the care and maintenance of Alaskan insane patients during the fiscal year 1948: *Provided further*, That so much of this sum as may be required shall be available for all necessary expenses in ascertaining the residence of inmates and in returning those who are not legal residents of Alaska to their legal residence or to their friends, and the Secretary shall as soon as practicable, return to their places of residence or to their friends all inmates not residents of Alaska at the time they became insane, and the commitment papers for any person hereafter adjudged insane shall include a statement by the committing authority as to the legal residence of such person.

Payments to Sanitarium Company, Portland, Oreg.

Return of inmates not residents of Alaska.

For the construction, repair, and maintenance of roads, tramways, bridges, and trails, Territory of Alaska, \$130,000, to be available until expended: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Construction of roads, bridges, etc.

*Supra.*

For the construction, repair, and maintenance of roads, tramways, buildings, ferries, bridges, and trails, Territory of Alaska, to be expended under the provisions of the Act approved June 30, 1932 (48 U. S. C. 321a-321c), including surveys and plans for new road construction; services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), for the preparation of plans and specifications for buildings; and printing and binding, \$3,750,000.

47 Stat. 446.  
48 U. S. C. §§ 321a-327.

60 Stat. 810.  
5 U. S. C. § 55a.

Richardson Highway: For continuation of construction of Richardson Highway, Alaska, \$250,000.

Mount McKinley  
National Park.

39 Stat. 750.

Personal services.

Printing and  
binding.

Contracts for ad-  
ditional work, etc.

Transfer of surplus  
property.

60 Stat. 168.  
50 U. S. C. app.  
§§ 1621, 1622, 1625, 1627.  
Aircraft.

The Alaska Railroad: In addition to all amounts received by the Alaska Railroad during the fiscal year 1948, there is hereby appropriated \$4,000,000 which shall be available, and continue available until expended, for expenses necessary for the authorized work of the Alaska Railroad, including maintenance, operation, and improvements of railroads in Alaska; maintenance and operation of river steamers and other boats on the Yukon River and its tributaries in Alaska; operation and maintenance of ocean-going or coastwise vessels by ownership, charter, or arrangement with other branches of the Government service, for the purpose of providing additional facilities for the transportation of freight, passengers, or mail, when deemed necessary, for the benefit and development of industries and travel affecting territory tributary to the Alaska Railroad; maintenance and operation of lodges, camps, and transportation facilities for the accommodation of visitors to Mount McKinley National Park; payment of amounts due connecting lines; payment of compensation and expenses as authorized by section 42 of the Act of September 7, 1916 (5 U. S. C. 793), to be reimbursed as therein provided: *Provided*, That not to exceed \$6,575 of this fund shall be available for personal services in the District of Columbia during the fiscal year 1948, and no one other than the general manager of said railroad, and one assistant general manager at not to exceed \$9,000 per annum, shall be paid an annual salary out of this fund of more than \$8,500: *Provided further*, That not to exceed \$15,000 of such fund shall be available for printing and binding: *Provided further*, That in addition to the amount herein appropriated the Secretary of the Interior is hereby authorized to incur obligations and enter into contracts for additional work, materials and equipment not exceeding a total of \$15,000,000: *Provided further*, That in the operation of the facilities of the Alaska Railroad, the War Department or any other agency of the United States Government having title thereto is authorized to transfer regardless of present location and without charge to the Alaska Railroad, materials, roadway and bridge maintenance, and other necessary equipment, locomotives and spare parts, shop facilities and machinery, supplies, rolling stock, buildings, and docks, surplus to its needs and which may be certified by the Department of the Interior as necessary for the improvement, maintenance, or operation of the Alaska Railroad: *Provided further*, That the authorization in this paragraph for transfer of surplus property to the Alaska Railroad shall not be construed to deny to veterans the priority accorded to them in obtaining surplus property under Public Law 375, approved May 3, 1946.

The following appropriations herein made shall be available for the hire, maintenance, and operation of aircraft: "Salaries and expenses, Governor and Secretary, Territory of Alaska"; "Construction and maintenance of roads, bridges, and trails, Alaska"; "Reconstruction and improvement of Richardson Highway, Alaska"; and "Alaska Railroad appropriated fund".

#### TERRITORY OF HAWAII

For expenses of the offices of the Governor and the Secretary, including salaries of the Governor, the Secretary \$7,342, and the private secretary to the Governor, \$4,996; for printing and binding; travel expenses of the Governor; and \$935 for temporary clerk hire; \$25,300, to be expended by the Governor.

## GOVERNMENT OF THE VIRGIN ISLANDS

For salaries of the Governor and employees incident to the execution of the Acts of March 3, 1917 (48 U. S. C. 1391), and June 22, 1936 (48 U. S. C. 1405v), printing and binding; repair, preservation and care of Federal buildings and furniture, purchase of water, and other necessary miscellaneous expenses, purchase of not to exceed two passenger motor vehicles, and not to exceed \$6,000 for personal services, household equipment and furnishings, fuel, ice, and electricity necessary in the operation of Government House at Saint Thomas and Government House at Saint Croix, \$216,100, to be expended by and under the direction of the Governor.

39 Stat. 1132; 49 Stat. 1813.

For necessary expenses of the agricultural station in the Virgin Islands, \$46,300, to be expended by and under the direction of the Governor.

Agricultural station.

Municipal government of Saint Croix: For defraying the deficit in the treasury of the municipal government of Saint Croix, Virgin Islands, because of the excess of current expenses over current revenues for the fiscal year 1948, \$140,000, to be paid in monthly installments.

## GENERAL PROVISIONS

SEC. 2. Appropriations herein made shall be available for the purchase of vehicles generally known as quarter-ton or half-ton pick-up trucks and as station wagons without such vehicles being considered as passenger motor vehicles.

Purchase, etc., of vehicles.

SEC. 3. Notwithstanding any provision of law to the contrary, aliens may be employed during the fiscal year 1948 in the field service of the Department for periods of not more than thirty days in cases of emergency caused by fire, flood, storm, act of God, or sabotage.

Emergency employment of aliens.

SEC. 4. Appropriations herein made for the following bureaus and offices shall be available for expenses of attendance of officers and employees at meetings or conventions of members of societies or associations concerned with their work in not to exceed the amounts indicated: Office of the Secretary, \$600; Oil and Gas Division, \$100; Bureau of Land Management, \$300; Bureau of Indian Affairs, \$1,000; Bureau of Reclamation, \$6,000; Geological Survey, \$2,000; Bureau of Mines, \$2,000; National Park Service, \$1,000; Fish and Wildlife Service, \$1,750; and soil and moisture conservation operations (all bureaus), \$500.

Attendance at meetings.

SEC. 5. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

Affidavit.

Penalty.



Emergency employ-  
ment.

Jackson Hole Na-  
tional Monument.

57 Stat. 731.

58 Stat. 845.  
5 U. S. C. §§ 61b-61e.

60 Stat. 1097.  
5 U. S. C. § 133y-16  
note.

60 Stat. 903.  
5 U. S. C. § 150.

Employees engaged  
in personnel work.

Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That in cases of emergency, caused by fire, flood, storm, act of God, or sabotage, persons may be employed for periods of not more than thirty days and be paid salaries and wages without the necessity of inquiring into their membership in any organization.

SEC. 6. No part of any appropriation contained in this Act shall be used directly or indirectly by way of wages, salaries, per diem or otherwise, for the performance of any new administrative function or the enforcement or issuance of any rule or regulation occasioned by the establishment of the Jackson Hole National Monument as described in Executive Proclamation Numbered 2578, dated March 15, 1943.

SEC. 7. Limitations on amounts to be expended for personal services under appropriations in this Act shall not apply to lump-sum leave payments pursuant to the Act of December 21, 1944 (Public Law 525).

SEC. 8. Notwithstanding the provisions of Reorganization Plan Numbered 3 of 1946, no part of any appropriation contained in this Act shall be used, transferred, or allocated for the expenses or salaries of any regional, field, or other office or committee to perform any function of the Bureau of Land Management now being performed in the District of Columbia, or for the transfer or removal of any functions or duties of the said Bureau, including tract books heretofore held and administered in the District of Columbia, out of the District of Columbia, unless specific approval therefor has been given by the Congress prior to the establishment of such office or committee or prior to such transfer or removal.

SEC. 9. Appropriations herein made shall be available for payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

SEC. 10. Appropriations in this Act shall be available for health service programs as authorized by the Act of August 8, 1946 (Public Law 658).

SEC. 11. Not to exceed a total of \$1,000,000 of the appropriations contained in this Act shall be available for expenditure for the compensation of employees engaged in personnel work: *Provided*, That for purposes of this section employees will be considered as engaged in personnel work if they spend half time or more on personnel administration consisting of recruitment and appointments, placement, position classification, training, and employee relations.

## TITLE II—SURPLUS APPROPRIATION RESCISSION

The appropriation in the sum of \$450,000 for construction and equipment of an Anthracite Research Laboratory, contained in the "Interior Department Appropriation Act, 1947", under the heading "Bureau of Mines", is hereby carried to the surplus fund and covered into the Treasury immediately upon the approval of this Act.

This Act may be cited as the "Interior Department Appropriation Act, 1948".

Approved July 25, 1947.

60 Stat. 372.

Short title.

## [CHAPTER 338]

## AN ACT

Authorizing the Comptroller General of the United States to allow credits to and relieve certain disbursing and certifying officers of the War and Navy Departments in the settlement of certain accounts.

July 26, 1947  
[S. 323]

[Public Law 248]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Comptroller General of the United States be, and he hereby is, authorized, through such officer as he may designate, and within two years from the passage of this Act, (a) to relieve disbursing and certifying officers, including special disbursing agents of the War and Navy Departments, from accountability or responsibility for losses, occurring between September 8, 1939, to July 1, 1946, of funds, or of accounts, papers, records, vouchers, or data pertaining to said funds, for which said officers or agents were accountable or responsible; and (b) to allow credits, in the settlement of accounts of said officers or agents, for payments made in good faith on public account during said period, notwithstanding failure to comply with the requirements of existing law or regulations pursuant thereto: *Provided*, That in cases of losses or payments involving more than \$2,500 the Comptroller General shall exercise the authority herein only upon the written recommendation of the Secretary of War or the Secretary of the Navy, which recommendation shall be concurred in by the Attorney General if the amount exceeds \$10,000 and which recommendation shall also set forth the facts relative to such loss or payment and shall state that such transaction, expenditure, loss, or payment appears to be free from fraud or collusion and incurred or made in good faith: *Provided further*, That the Comptroller General in all cases shall certify that such transaction, expenditure, loss, or payment appears to be free from fraud and collusion and incurred or made in good faith.

War and Navy Departments.  
Relief of certain disbursing officers, etc.

Credit in accounts.

Losses or payments in excess of \$2,500.

Certification by Comptroller General.

Approved July 26, 1947.

## [CHAPTER 339]

## AN ACT

To extend provisions of the Bankhead-Jones Farm Tenant Act and the Soil Conservation and Domestic Allotment Act to the Virgin Islands.

July 26, 1947  
[S. 512]

[Public Law 249]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sections of title IV of the Bankhead-Jones Farm Tenant Act, as amended, except insofar as they affect title III of the Bankhead-Jones Farm Tenant Act, as amended, are hereby amended as follows:

(a) Subsection (b) of section 41 is amended to read: "The Secretary may administer his power and duties under this Act through such area finance, State, and local offices in the United States and in the Territories of Alaska and Hawaii and in Puerto Rico and the Virgin Islands as he determines to be necessary: *Provided*, That existing regional offices shall be liquidated on or before June 30, 1947. The Secretary may authorize one office to serve the area composed of two or more States (Territories or Puerto Rico and the Virgin Islands) if he determines that the volume of business in the area is not sufficient to justify separate State offices."

(b) Section 54 is amended to read: "The provisions of this Act shall extend to the Territories of Alaska and Hawaii and to Puerto Rico and the Virgin Islands. In the case of Alaska and Puerto Rico and the Virgin Islands, the term 'county' as used in this Act shall be deemed synonymous with 'Territory', or any subdivision thereof as may be designated by the Secretary, and payments under section 33

50 Stat. 527, 525.  
7 U. S. C. §§ 1014-1029, 1010-1012.

50 Stat. 529.  
7 U. S. C. § 1015 (b).

Liquidation of regional offices.

50 Stat. 532.  
7 U. S. C. § 1023.

50 Stat. 526.  
7 U. S. C. § 1012.

of this Act shall be made to the Governor of the Territory or to the fiscal agent of such subdivision."

16 U. S. C. § 590q  
(a).

SEC. 2. Subsection (a) of section 17 of the Soil Conservation and Domestic Allotment Act (49 Stat. 1151), is amended to read as follows: "This Act shall apply to the United States, the Territories of Alaska and Hawaii, and the possessions of Puerto Rico and the Virgin Islands, and, as used in this Act, the term 'State' includes Alaska, Hawaii, Puerto Rico, and the Virgin Islands."

SEC. 3. All Acts or parts of Acts in conflict herewith are hereby repealed.

Approved July 26, 1947.

#### [CHAPTER 340]

#### AN ACT

July 26, 1947  
[S. 753]  
[Public Law 250]

To authorize the Secretary of the Interior to defer the collection of certain irrigation construction charges against lands under the Flathead Indian irrigation project.

Flathead Indian ir-  
rigation project.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, notwithstanding any provisions of the Act entitled "An Act to authorize the Secretary of the Interior to investigate and adjust irrigation charges on irrigation lands within projects on Indian reservations, and for other purposes", approved June 22, 1936 (49 Stat. 1803), the Secretary of the Interior is authorized and directed to defer the collection of irrigation construction charges on the Flathead Indian irrigation project until January 1, 1949.

Approved July 26, 1947.

#### [CHAPTER 341]

#### JOINT RESOLUTION

July 26, 1947  
[H. J. Res. 250]  
[Public Law 251]

To provide for the appointment of Robert V. Fleming as a member of the Board of Regents of the Smithsonian Institution.

Board of Regents of  
Smithsonian Institu-  
tion.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, caused by the resignation of Frederic A. Delano, be filled by the appointment of Robert V. Fleming, a citizen of the District of Columbia, for the statutory term of six years.

Approved July 26, 1947.

#### [CHAPTER 342]

#### AN ACT

July 26, 1947  
[H. R. 3864]  
[Public Law 252]

To amend the District of Columbia Unemployment Compensation Act with respect to contribution rates after termination of military service.

57 Stat. 106.  
D. C. Code, Supp.  
V, § 46-303 (c) (4).

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 3 (c) (4) of the District of Columbia Unemployment Compensation Act, as amended, is amended by adding at the end thereof the following:

"(iv) CONTRIBUTION RATES AFTER TERMINATION OF MILITARY SERVICE.—When the Board finds that the continuity of an employer's employment experience has been interrupted solely by reason of one or more of the owners, officers, managers, partners, or majority stockholders of such employer's employing enterprise having served in the armed forces of the United States of America or any of its allies during a time of war, such employer's employment experience shall be deemed to have been continuous throughout the period that such

individual or individuals so served in such armed forces, including the period up to the time it again resumes the status of an employer liable for contributions under this Act, provided it resumes such status within two years from the date of discharge of such individual or individuals or from the date of the termination of such war, whichever date is the earlier. For the purposes of this paragraph (iv), in determining an employer's contribution rate his average annual pay roll shall be the average of his last three annual pay rolls."

SEC. 2. Section 3 (a) (9) (b) of the District of Columbia Unemployment Compensation Act is hereby amended to read as follows:

"(b) The term 'average annual pay roll', except for the purposes of paragraph (4) (iv) of this subsection, means the average of the annual pay rolls of any employer for the three consecutive twelve-month periods ending ninety days prior to the computation date;".

SEC. 3. The amendments made by this Act shall be effective with respect to employment on or after July 1, 1943. The amount of any contributions or interest thereon paid to the Board by any employer in excess of the amount such employer would have been required to pay if the amendments made by this Act had been in effect on and after July 1, 1943, shall, for the purposes of section 4 (i) of the District of Columbia Unemployment Compensation Act, be subject to adjustment against subsequent contributions by him. Notwithstanding the period of limitation prescribed in such section 4 (i), the employing unit which paid such excess amount of contributions or interest thereon may make application under such section 4 (i) within one year after the date of the enactment of this Act for an adjustment thereof.

Approved July 26, 1947.

## [CHAPTER 343]

### AN ACT

To promote the national security by providing for a Secretary of Defense; for a National Military Establishment; for a Department of the Army, a Department of the Navy, and a Department of the Air Force; and for the coordination of the activities of the National Military Establishment with other departments and agencies of the Government concerned with the national security.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SHORT TITLE

That this Act may be cited as the "National Security Act of 1947".

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Time limitation.

57 Stat. 108.  
D. C. Code, Supp.  
V, § 46-303(a)(9)(b).  
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57 Stat. 111.  
D. C. Code, Supp.  
V, § 46-304(i).  
Application for ad-  
justment.

July 26, 1947

[S. 758]

[Public Law 253]

Post, p. 496.

Post, p. 499.

- Sec. 210. War Council.
- Sec. 211. Joint Chiefs of Staff.
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*Post*, p. 507.

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#### DECLARATION OF POLICY

SEC. 2. In enacting this legislation, it is the intent of Congress to provide a comprehensive program for the future security of the United States; to provide for the establishment of integrated policies and procedures for the departments, agencies, and functions of the Government relating to the national security; to provide three military departments for the operation and administration of the Army, the Navy (including naval aviation and the United States Marine Corps), and the Air Force, with their assigned combat and service components; to provide for their authoritative coordination and unified direction under civilian control but not to merge them; to provide for the effective strategic direction of the armed forces and for their operation under unified control and for their integration into an efficient team of land, naval, and air forces.

### TITLE I—COORDINATION FOR NATIONAL SECURITY

#### NATIONAL SECURITY COUNCIL

SEC. 101. (a) There is hereby established a council to be known as the National Security Council (hereinafter in this section referred to as the "Council").

The President of the United States shall preside over meetings of the Council: *Provided*, That in his absence he may designate a member of the Council to preside in his place.

Function.

The function of the Council shall be to advise the President with respect to the integration of domestic, foreign, and military policies relating to the national security so as to enable the military services and the other departments and agencies of the Government to cooperate more effectively in matters involving the national security.

Composition.

*Post*, p. 500.

*Post*, p. 501.

*Post*, p. 502.

*Post*, p. 499.

The Council shall be composed of the President; the Secretary of State; the Secretary of Defense, appointed under section 202; the Secretary of the Army, referred to in section 205; the Secretary of the Navy; the Secretary of the Air Force, appointed under section 207; the Chairman of the National Security Resources Board, appointed under section 103; and such of the following named officers as the President may designate from time to time: The Secretaries of the executive departments, the Chairman of the Munitions Board appointed under section 213, and the Chairman of the Research and Development Board appointed under section 214; but no such additional member shall be designated until the advice and consent of the Senate has been given to his appointment to the office the holding of which authorizes his designation as a member of the Council.

*Post*, p. 505.

*Post*, p. 506.

(b) In addition to performing such other functions as the President may direct, for the purpose of more effectively coordinating the policies and functions of the departments and agencies of the Government relating to the national security, it shall, subject to the direction of the President, be the duty of the Council—

Duties.

(1) to assess and appraise the objectives, commitments, and risks of the United States in relation to our actual and potential military power, in the interest of national security, for the purpose of making recommendations to the President in connection therewith; and

(2) to consider policies on matters of common interest to the departments and agencies of the Government concerned with the national security, and to make recommendations to the President in connection therewith.

(c) The Council shall have a staff to be headed by a civilian executive secretary who shall be appointed by the President, and who shall receive compensation at the rate of \$10,000 a year. The executive secretary, subject to the direction of the Council, is hereby authorized, subject to the civil-service laws and the Classification Act of 1923, as amended, to appoint and fix the compensation of such personnel as may be necessary to perform such duties as may be prescribed by the Council in connection with the performance of its functions.

Executive secretary.

42 Stat. 1488.  
5 U. S. C. §§ 661-674.

(d) The Council shall, from time to time, make such recommendations, and such other reports to the President as it deems appropriate or as the President may require.

Recommendations  
and reports.

## CENTRAL INTELLIGENCE AGENCY

SEC. 102. (a) There is hereby established under the National Security Council a Central Intelligence Agency with a Director of Central Intelligence, who shall be the head thereof. The Director shall be appointed by the President, by and with the advice and consent of the Senate, from among the commissioned officers of the armed services or from among individuals in civilian life. The Director shall receive compensation at the rate of \$14,000 a year.

Director.

(b) (1) If a commissioned officer of the armed services is appointed as Director then—

Appointment of  
commissioned officer  
as Director.

(A) in the performance of his duties as Director, he shall be subject to no supervision, control, restriction, or prohibition (military or otherwise) other than would be operative with respect to him if he were a civilian in no way connected with the Department of the Army, the Department of the Navy, the Department of the Air Force, or the armed services or any component thereof; and

(B) he shall not possess or exercise any supervision, control, powers, or functions (other than such as he possesses, or is authorized or directed to exercise, as Director) with respect to the armed services or any component thereof, the Department of the Army, the Department of the Navy, or the Department of the Air Force, or any branch, bureau, unit or division thereof, or with respect to any of the personnel (military or civilian) of any of the foregoing.

(2) Except as provided in paragraph (1), the appointment to the office of Director of a commissioned officer of the armed services, and his acceptance of and service in such office, shall in no way affect any status, office, rank, or grade he may occupy or hold in the armed services, or any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade. Any such commissioned officer shall, while serving in the office of Director, receive the military pay and allowances (active or retired, as the case

Status in armed  
services, etc.

may be) payable to a commissioned officer of his grade and length of service and shall be paid, from any funds available to defray the expenses of the Agency, annual compensation at a rate equal to the amount by which \$14,000 exceeds the amount of his annual military pay and allowances.

Authority to terminate employment, etc.  
5 U. S. C. § 652.

(c) Notwithstanding the provisions of section 6 of the Act of August 24, 1912 (37 Stat. 555), or the provisions of any other law, the Director of Central Intelligence may, in his discretion, terminate the employment of any officer or employee of the Agency whenever he shall deem such termination necessary or advisable in the interests of the United States, but such termination shall not affect the right of such officer or employee to seek or accept employment in any other department or agency of the Government if declared eligible for such employment by the United States Civil Service Commission.

Coordination of intelligence activities.

(d) For the purpose of coordinating the intelligence activities of the several Government departments and agencies in the interest of national security, it shall be the duty of the Agency, under the direction of the National Security Council—

(1) to advise the National Security Council in matters concerning such intelligence activities of the Government departments and agencies as relate to national security;

(2) to make recommendations to the National Security Council for the coordination of such intelligence activities of the departments and agencies of the Government as relate to the national security;

Police, etc., powers.

Continuance of activities by other agencies.

Protection of sources.

(3) to correlate and evaluate intelligence relating to the national security, and provide for the appropriate dissemination of such intelligence within the Government using where appropriate existing agencies and facilities: *Provided*, That the Agency shall have no police, subpoena, law-enforcement powers, or internal-security functions: *Provided further*, That the departments and other agencies of the Government shall continue to collect, evaluate, correlate, and disseminate departmental intelligence: *And provided further*, That the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure;

(4) to perform, for the benefit of the existing intelligence agencies, such additional services of common concern as the National Security Council determines can be more efficiently accomplished centrally;

(5) to perform such other functions and duties related to intelligence affecting the national security as the National Security Council may from time to time direct.

Intelligence relating to national security.

(e) To the extent recommended by the National Security Council and approved by the President, such intelligence of the departments and agencies of the Government, except as hereinafter provided, relating to the national security shall be open to the inspection of the Director of Central Intelligence, and such intelligence as relates to the national security and is possessed by such departments and other agencies of the Government, except as hereinafter provided, shall be made available to the Director of Central Intelligence for correlation, evaluation, and dissemination: *Provided, however*, That upon the written request of the Director of Central Intelligence, the Director of the Federal Bureau of Investigation shall make available to the Director of Central Intelligence such information for correlation, evaluation, and dissemination as may be essential to the national security.

Information of FBI.

(f) Effective when the Director first appointed under subsection (a) has taken office—

(1) the National Intelligence Authority (11 Fed. Reg. 1337, 1339, February 5, 1946) shall cease to exist; and

Termination of NIA.

(2) the personnel, property, and records of the Central Intelligence Group are transferred to the Central Intelligence Agency, and such Group shall cease to exist. Any unexpended balances of appropriations, allocations, or other funds available or authorized to be made available for such Group shall be available and shall be authorized to be made available in like manner for expenditure by the Agency.

Termination of Central Intelligence Group, etc.

#### NATIONAL SECURITY RESOURCES BOARD

SEC. 103. (a) There is hereby established a National Security Resources Board (hereinafter in this section referred to as the "Board") to be composed of the Chairman of the Board and such heads or representatives of the various executive departments and independent agencies as may from time to time be designated by the President to be members of the Board. The Chairman of the Board shall be appointed from civilian life by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate of \$14,000 a year.

Composition.

(b) The Chairman of the Board, subject to the direction of the President, is authorized, subject to the civil-service laws and the Classification Act of 1923, as amended, to appoint and fix the compensation of such personnel as may be necessary to assist the Board in carrying out its functions.

Appointment of Chairman.

Compensation of personnel.

42 Stat. 1488.  
5 U. S. C. §§ 661-674.

(c) It shall be the function of the Board to advise the President concerning the coordination of military, industrial, and civilian mobilization, including—

Function.

(1) policies concerning industrial and civilian mobilization in order to assure the most effective mobilization and maximum utilization of the Nation's manpower in the event of war;

(2) programs for the effective use in time of war of the Nation's natural and industrial resources for military and civilian needs, for the maintenance and stabilization of the civilian economy in time of war, and for the adjustment of such economy to war needs and conditions;

(3) policies for unifying, in time of war, the activities of Federal agencies and departments engaged in or concerned with production, procurement, distribution, or transportation of military or civilian supplies, materials, and products;

(4) the relationship between potential supplies of, and potential requirements for, manpower, resources, and productive facilities in time of war;

(5) policies for establishing adequate reserves of strategic and critical material, and for the conservation of these reserves;

(6) the strategic relocation of industries, services, government, and economic activities, the continuous operation of which is essential to the Nation's security.

(d) In performing its functions, the Board shall utilize to the maximum extent the facilities and resources of the departments and agencies of the Government.

Utilization of departmental facilities.

## TITLE II—THE NATIONAL MILITARY ESTABLISHMENT

### ESTABLISHMENT OF THE NATIONAL MILITARY ESTABLISHMENT

SEC. 201. (a) There is hereby established the National Military Establishment, and the Secretary of Defense shall be the head thereof.



(b) The National Military Establishment shall consist of the Department of the Army, the Department of the Navy, and the Department of the Air Force, together with all other agencies created under title II of this Act.

#### SECRETARY OF DEFENSE

Noneligibility for appointment.

Duties.

SEC. 202. (a) There shall be a Secretary of Defense, who shall be appointed from civilian life by the President, by and with the advice and consent of the Senate: *Provided*, That a person who has within ten years been on active duty as a commissioned officer in a Regular component of the armed services shall not be eligible for appointment as Secretary of Defense. The Secretary of Defense shall be the principal assistant to the President in all matters relating to the national security. Under the direction of the President and subject to the provisions of this Act he shall perform the following duties:

(1) Establish general policies and programs for the National Military Establishment and for all of the departments and agencies therein;

(2) Exercise general direction, authority, and control over such departments and agencies;

(3) Take appropriate steps to eliminate unnecessary duplication or overlapping in the fields of procurement, supply, transportation, storage, health, and research;

(4) Supervise and coordinate the preparation of the budget estimates of the departments and agencies comprising the National Military Establishment; formulate and determine the budget estimates for submittal to the Bureau of the Budget; and supervise the budget programs of such departments and agencies under the applicable appropriation Act:

Reports, etc., of Secretaries of Army, Navy, and Air Force.

Administration of Departments of Army, Navy, and Air Force.

Reports to President and Congress.

Seal.

*Provided*, That nothing herein contained shall prevent the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force from presenting to the President or to the Director of the Budget, after first so informing the Secretary of Defense, any report or recommendation relating to his department which he may deem necessary: *And provided further*, That the Department of the Army, the Department of the Navy, and the Department of the Air Force shall be administered as individual executive departments by their respective Secretaries and all powers and duties relating to such departments not specifically conferred upon the Secretary of Defense by this Act shall be retained by each of their respective Secretaries.

(b) The Secretary of Defense shall submit annual written reports to the President and the Congress covering expenditures, work, and accomplishments of the National Military Establishment, together with such recommendations as he shall deem appropriate.

(c) The Secretary of Defense shall cause a seal of office to be made for the National Military Establishment, of such design as the President shall approve, and judicial notice shall be taken thereof.

#### MILITARY ASSISTANTS TO THE SECRETARY

SEC. 203. Officers of the armed services may be detailed to duty as assistants and personal aides to the Secretary of Defense, but he shall not establish a military staff.

#### CIVILIAN PERSONNEL

Special assistants.

SEC. 204. (a) The Secretary of Defense is authorized to appoint from civilian life not to exceed three special assistants to advise and

assist him in the performance of his duties. Each such special assistant shall receive compensation at the rate of \$10,000 a year.

(b) The Secretary of Defense is authorized, subject to the civil-service laws and the Classification Act of 1923, as amended, to appoint and fix the compensation of such other civilian personnel as may be necessary for the performance of the functions of the National Military Establishment other than those of the Departments of the Army, Navy, and Air Force.

42 Stat. 1488.  
5 U. S. C. §§ 661-674.

#### DEPARTMENT OF THE ARMY

SEC. 205. (a) The Department of War shall hereafter be designated the Department of the Army, and the title of the Secretary of War shall be changed to Secretary of the Army. Changes shall be made in the titles of other officers and activities of the Department of the Army as the Secretary of the Army may determine.

Change in designation; titles.

(b) All laws, orders, regulations, and other actions relating to the Department of War or to any officer or activity whose title is changed under this section shall, insofar as they are not inconsistent with the provisions of this Act, be deemed to relate to the Department of the Army within the National Military Establishment or to such officer or activity designated by his or its new title.

(c) The term "Department of the Army" as used in this Act shall be construed to mean the Department of the Army at the seat of government and all field headquarters, forces, reserve components, installations, activities, and functions under the control or supervision of the Department of the Army.

"Department of the Army."

(d) The Secretary of the Army shall cause a seal of office to be made for the Department of the Army, of such design as the President may approve, and judicial notice shall be taken thereof.

Seal.

(e) In general the United States Army, within the Department of the Army, shall include land combat and service forces and such aviation and water transport as may be organic therein. It shall be organized, trained, and equipped primarily for prompt and sustained combat incident to operations on land. It shall be responsible for the preparation of land forces necessary for the effective prosecution of war except as otherwise assigned and, in accordance with integrated joint mobilization plans, for the expansion of peacetime components of the Army to meet the needs of war.

U. S. Army.

#### DEPARTMENT OF THE NAVY

SEC. 206. (a) The term "Department of the Navy" as used in this Act shall be construed to mean the Department of the Navy at the seat of government; the headquarters, United States Marine Corps; the entire operating forces of the United States Navy, including naval aviation, and of the United States Marine Corps, including the reserve components of such forces; all field activities, headquarters, forces, bases, installations, activities, and functions under the control or supervision of the Department of the Navy; and the United States Coast Guard when operating as a part of the Navy pursuant to law.

"Department of the Navy."

(b) In general the United States Navy, within the Department of the Navy, shall include naval combat and services forces and such aviation as may be organic therein. It shall be organized, trained, and equipped primarily for prompt and sustained combat incident to operations at sea. It shall be responsible for the preparation of naval forces necessary for the effective prosecution of war except as otherwise assigned, and, in accordance with integrated joint mobilization plans, for the expansion of the peacetime components of the Navy to meet the needs of war.

U. S. Navy.

## Naval aviation.

All naval aviation shall be integrated with the naval service as part thereof within the Department of the Navy. Naval aviation shall consist of combat and service and training forces, and shall include land-based naval aviation, air transport essential for naval operations, all air weapons and air techniques involved in the operations and activities of the United States Navy, and the entire remainder of the aeronautical organization of the United States Navy, together with the personnel necessary therefor.

## Responsibility of Navy.

The Navy shall be generally responsible for naval reconnaissance, antisubmarine warfare, and protection of shipping.

The Navy shall develop aircraft, weapons, tactics, technique, organization and equipment of naval combat and service elements; matters of joint concern as to these functions shall be coordinated between the Army, the Air Force, and the Navy.

## U. S. Marine Corps.

(c) The United States Marine Corps, within the Department of the Navy, shall include land combat and service forces and such aviation as may be organic therein. The Marine Corps shall be organized, trained, and equipped to provide fleet marine forces of combined arms, together with supporting air components, for service with the fleet in the seizure or defense of advanced naval bases and for the conduct of such land operations as may be essential to the prosecution of a naval campaign. It shall be the duty of the Marine Corps to develop, in coordination with the Army and the Air Force, those phases of amphibious operations which pertain to the tactics, technique, and equipment employed by landing forces. In addition, the Marine Corps shall provide detachments and organizations for service on armed vessels of the Navy, shall provide security detachments for the protection of naval property at naval stations and bases, and shall perform such other duties as the President may direct:

## Additional duties.

*Provided*, That such additional duties shall not detract from or interfere with the operations for which the Marine Corps is primarily organized. The Marine Corps shall be responsible, in accordance with integrated joint mobilization plans, for the expansion of peacetime components of the Marine Corps to meet the needs of war.

## Restriction.

## DEPARTMENT OF THE AIR FORCE

## Secretary of the Air Force.

SEC. 207. (a) Within the National Military Establishment there is hereby established an executive department to be known as the Department of the Air Force, and a Secretary of the Air Force, who shall be the head thereof. The Secretary of the Air Force shall be appointed from civilian life by the President, by and with the advice and consent of the Senate.

## 5 U. S. C. § 1.

(b) Section 158 of the Revised Statutes is amended to include the Department of the Air Force and the provisions of so much of title IV of the Revised Statutes as now or hereafter amended as is not inconsistent with this Act shall be applicable to the Department of the Air Force.

## "Department of the Air Force."

(c) The term "Department of the Air Force" as used in this Act shall be construed to mean the Department of the Air Force at the seat of government and all field headquarters, forces, reserve components, installations, activities, and functions under the control or supervision of the Department of the Air Force.

## Under Secretary; Assistant Secretaries.

(d) There shall be in the Department of the Air Force an Under Secretary of the Air Force and two Assistant Secretaries of the Air Force, who shall be appointed from civilian life by the President by and with the advice and consent of the Senate.

(e) The several officers of the Department of the Air Force shall perform such functions as the Secretary of the Air Force may prescribe.

(f) So much of the functions of the Secretary of the Army and of the Department of the Army, including those of any officer of such Department, as are assigned to or under the control of the Commanding General, Army Air Forces, or as are deemed by the Secretary of Defense to be necessary or desirable for the operations of the Department of the Air Force or the United States Air Force, shall be transferred to and vested in the Secretary of the Air Force and the Department of the Air Force: *Provided*, That the National Guard Bureau shall, in addition to the functions and duties performed by it for the Department of the Army, be charged with similar functions and duties for the Department of the Air Force, and shall be the channel of communication between the Department of the Air Force and the several States on all matters pertaining to the Air National Guard: *And provided further*, That, in order to permit an orderly transfer, the Secretary of Defense may, during the transfer period hereinafter prescribed, direct that the Department of the Army shall continue for appropriate periods to exercise any of such functions, insofar as they relate to the Department of the Air Force, or the United States Air Force or their property and personnel. Such of the property, personnel, and records of the Department of the Army used in the exercise of functions transferred under this subsection as the Secretary of Defense shall determine shall be transferred or assigned to the Department of the Air Force.

Transfer of functions.

National Guard Bureau.

Transfer of property, etc.

(g) The Secretary of the Air Force shall cause a seal of office to be made for the Department of the Air Force, of such device as the President shall approve, and judicial notice shall be taken thereof.

Seal.

## UNITED STATES AIR FORCE

SEC. 208. (a) The United States Air Force is hereby established under the Department of the Air Force. The Army Air Forces, the Air Corps, United States Army, and the General Headquarters Air Force (Air Force Combat Command), shall be transferred to the United States Air Force.

(b) There shall be a Chief of Staff, United States Air Force, who shall be appointed by the President, by and with the advice and consent of the Senate, for a term of four years from among the officers of general rank who are assigned to or commissioned in the United States Air Force. Under the direction of the Secretary of the Air Force, the Chief of Staff, United States Air Force, shall exercise command over the United States Air Force and shall be charged with the duty of carrying into execution all lawful orders and directions which may be transmitted to him. The functions of the Commanding General, General Headquarters Air Force (Air Force Combat Command), and of the Chief of the Air Corps and of the Commanding General, Army Air Forces, shall be transferred to the Chief of Staff, United States Air Force. When such transfer becomes effective, the offices of the Chief of the Air Corps, United States Army, and Assistants to the Chief of the Air Corps, United States Army, provided for by the Act of June 4, 1920, as amended (41 Stat. 768), and Commanding General, General Headquarters Air Force, provided for by section 5 of the Act of June 16, 1936 (49 Stat. 1525), shall cease to exist. While holding office as Chief of Staff, United States Air Force, the incumbent shall hold a grade and receive allowances equivalent to those prescribed by law for the Chief of Staff, United States Army. The Chief of Staff, United States Army, the Chief of Naval Operations, and the Chief of Staff, United States Air Force, shall take rank among themselves according to their relative dates of appointment as such, and shall each take rank above all other officers on the active

Chief of Staff.

Transfer of functions.

10 U. S. C. § 291.

10 U. S. C. § 292a-2.

Rank of Chief of Staff, Army, and Chief of Naval Operations.

Transfer of personnel.

Status of personnel.

Transfer of property, records, etc.

U. S. Air Force.

list of the Army, Navy, and Air Force: *Provided*, That nothing in this Act shall have the effect of changing the relative rank of the present Chief of Staff, United States Army, and the present Chief of Naval Operations.

(c) All commissioned officers, warrant officers, and enlisted men, commissioned, holding warrants, or enlisted, in the Air Corps, United States Army, or the Army Air Forces, shall be transferred in branch to the United States Air Force. All other commissioned officers, warrant officers, and enlisted men, who are commissioned, hold warrants, or are enlisted, in any component of the Army of the United States and who are under the authority or command of the Commanding General, Army Air Forces, shall be continued under the authority or command of the Chief of Staff, United States Air Force, and under the jurisdiction of the Department of the Air Force. Personnel whose status is affected by this subsection shall retain their existing commissions, warrants, or enlisted status in existing components of the armed forces unless otherwise altered or terminated in accordance with existing law; and they shall not be deemed to have been appointed to a new or different office or grade, or to have vacated their permanent or temporary appointments in an existing component of the armed forces, solely by virtue of any change in status under this subsection. No such change in status shall alter or prejudice the status of any individual so assigned, so as to deprive him of any right, benefit, or privilege to which he may be entitled under existing law.

(d) Except as otherwise directed by the Secretary of the Air Force, all property, records, installations, agencies, activities, projects, and civilian personnel under the jurisdiction, control, authority, or command of the Commanding General, Army Air Forces, shall be continued to the same extent under the jurisdiction, control, authority, or command, respectively, of the Chief of Staff, United States Air Force, in the Department of the Air Force.

(e) For a period of two years from the date of enactment of this Act, personnel (both military and civilian), property, records, installations, agencies, activities, and projects may be transferred between the Department of the Army and the Department of the Air Force by direction of the Secretary of Defense.

(f) In general the United States Air Force shall include aviation forces both combat and service not otherwise assigned. It shall be organized, trained, and equipped primarily for prompt and sustained offensive and defensive air operations. The Air Force shall be responsible for the preparation of the air forces necessary for the effective prosecution of war except as otherwise assigned and, in accordance with integrated joint mobilization plans, for the expansion of the peacetime components of the Air Force to meet the needs of war.

#### EFFECTIVE DATE OF TRANSFERS

SEC. 209. Each transfer, assignment, or change in status under section 207 or section 208 shall take effect upon such date or dates as may be prescribed by the Secretary of Defense.

#### WAR COUNCIL

SEC. 210. There shall be within the National Military Establishment a War Council composed of the Secretary of Defense, as Chairman, who shall have power of decision; the Secretary of the Army; the Secretary of the Navy; the Secretary of the Air Force; the Chief of Staff, United States Army; the Chief of Naval Operations; and the

Chief of Staff, United States Air Force. The War Council shall advise the Secretary of Defense on matters of broad policy relating to the armed forces, and shall consider and report on such other matters as the Secretary of Defense may direct.

#### JOINT CHIEFS OF STAFF

SEC. 211. (a) There is hereby established within the National Military Establishment the Joint Chiefs of Staff, which shall consist of the Chief of Staff, United States Army; the Chief of Naval Operations; the Chief of Staff, United States Air Force; and the Chief of Staff to the Commander in Chief, if there be one.

(b) Subject to the authority and direction of the President and the Secretary of Defense, it shall be the duty of the Joint Chiefs of Staff—

Duties.

(1) to prepare strategic plans and to provide for the strategic direction of the military forces;

(2) to prepare joint logistic plans and to assign to the military services logistic responsibilities in accordance with such plans;

(3) to establish unified commands in strategic areas when such unified commands are in the interest of national security;

(4) to formulate policies for joint training of the military forces;

(5) to formulate policies for coordinating the education of members of the military forces;

(6) to review major material and personnel requirements of the military forces, in accordance with strategic and logistic plans; and

(7) to provide United States representation on the Military Staff Committee of the United Nations in accordance with the provisions of the Charter of the United Nations.

(c) The Joint Chiefs of Staff shall act as the principal military advisers to the President and the Secretary of Defense and shall perform such other duties as the President and the Secretary of Defense may direct or as may be prescribed by law.

Military advisers.

#### JOINT STAFF

SEC. 212. There shall be, under the Joint Chiefs of Staff, a Joint Staff to consist of not to exceed one hundred officers and to be composed of approximately equal numbers of officers from each of the three armed services. The Joint Staff, operating under a Director thereof appointed by the Joint Chiefs of Staff, shall perform such duties as may be directed by the Joint Chiefs of Staff. The Director shall be an officer junior in grade to all members of the Joint Chiefs of Staff.

#### MUNITIONS BOARD

SEC. 213. (a) There is hereby established in the National Military Establishment a Munitions Board (hereinafter in this section referred to as the "Board").

(b) The Board shall be composed of a Chairman, who shall be the head thereof, and an Under Secretary or Assistant Secretary from each of the three military departments, to be designated in each case by the Secretaries of their respective departments. The Chairman shall be appointed from civilian life by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate of \$14,000 a year.

Composition.

Chairman.

## Duties.

(c) It shall be the duty of the Board under the direction of the Secretary of Defense and in support of strategic and logistic plans prepared by the Joint Chiefs of Staff—

(1) to coordinate the appropriate activities within the National Military Establishment with regard to industrial matters, including the procurement, production, and distribution plans of the departments and agencies comprising the Establishment;

(2) to plan for the military aspects of industrial mobilization;

(3) to recommend assignment of procurement responsibilities among the several military services and to plan for standardization of specifications and for the greatest practicable allocation of purchase authority of technical equipment and common use items on the basis of single procurement;

(4) to prepare estimates of potential production, procurement, and personnel for use in evaluation of the logistic feasibility of strategic operations;

(5) to determine relative priorities of the various segments of the military procurement programs;

(6) to supervise such subordinate agencies as are or may be created to consider the subjects falling within the scope of the Board's responsibilities;

(7) to make recommendations to regroup, combine, or dissolve existing interservice agencies operating in the fields of procurement, production, and distribution in such manner as to promote efficiency and economy;

(8) to maintain liaison with other departments and agencies for the proper correlation of military requirements with the civilian economy, particularly in regard to the procurement or disposition of strategic and critical material and the maintenance of adequate reserves of such material, and to make recommendations as to policies in connection therewith;

(9) to assemble and review material and personnel requirements presented by the Joint Chiefs of Staff and those presented by the production, procurement, and distribution agencies assigned to meet military needs, and to make recommendations thereon to the Secretary of Defense; and

(10) to perform such other duties as the Secretary of Defense may direct.

## Termination of Joint Army and Navy Munitions Board.

(d) When the Chairman of the Board first appointed has taken office, the Joint Army and Navy Munitions Board shall cease to exist and all its records and personnel shall be transferred to the Munitions Board.

## Personnel and facilities.

(e) The Secretary of Defense shall provide the Board with such personnel and facilities as the Secretary may determine to be required by the Board for the performance of its functions.

## RESEARCH AND DEVELOPMENT BOARD

## Composition.

## Chairman.

## Purpose.

SEC. 214. (a) There is hereby established in the National Military Establishment a Research and Development Board (hereinafter in this section referred to as the "Board"). The Board shall be composed of a Chairman, who shall be the head thereof, and two representatives from each of the Departments of the Army, Navy, and Air Force, to be designated by the Secretaries of their respective Departments. The Chairman shall be appointed from civilian life by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate of \$14,000 a year. The purpose of the Board shall be to advise the Secretary of Defense as to the status of scientific research relative to the national security,

and to assist him in assuring adequate provision for research and development on scientific problems relating to the national security.

(b) It shall be the duty of the Board, under the direction of the Secretary of Defense—

Duties.

(1) to prepare a complete and integrated program of research and development for military purposes;

(2) to advise with regard to trends in scientific research relating to national security and the measures necessary to assure continued and increasing progress;

(3) to recommend measures of coordination of research and development among the military departments, and allocation among them of responsibilities for specific programs of joint interest;

(4) to formulate policy for the National Military Establishment in connection with research and development matters involving agencies outside the National Military Establishment;

(5) to consider the interaction of research and development and strategy, and to advise the Joint Chiefs of Staff in connection therewith; and

(6) to perform such other duties as the Secretary of Defense may direct.

(c) When the Chairman of the Board first appointed has taken office, the Joint Research and Development Board shall cease to exist and all its records and personnel shall be transferred to the Research and Development Board.

Termination of  
Joint Research and  
Development Board.

(d) The Secretary of Defense shall provide the Board with such personnel and facilities as the Secretary may determine to be required by the Board for the performance of its functions.

### TITLE III—MISCELLANEOUS

#### COMPENSATION OF SECRETARIES

SEC. 301. (a) The Secretary of Defense shall receive the compensation prescribed by law for heads of executive departments.

(b) The Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force shall each receive the compensation prescribed by law for heads of executive departments.

#### UNDER SECRETARIES AND ASSISTANT SECRETARIES

SEC. 302. The Under Secretaries and Assistant Secretaries of the Army, the Navy, and the Air Force shall each receive compensation at the rate of \$10,000 a year and shall perform such duties as the Secretaries of their respective departments may prescribe.

Compensation;  
duties.

#### ADVISORY COMMITTEES AND PERSONNEL

SEC. 303. (a) The Secretary of Defense, the Chairman of the National Security Resources Board, and the Director of Central Intelligence are authorized to appoint such advisory committees and to employ, consistent with other provisions of this Act, such part-time advisory personnel as they may deem necessary in carrying out their respective functions and the functions of agencies under their control. Persons holding other offices or positions under the United States for which they receive compensation while serving as members of such committees shall receive no additional compensation for such service. Other members of such committees and other part-time advisory personnel so employed may serve without compensation or

Compensation.



Service of an individual.

35 Stat. 1107, 1109.  
58 Stat. 668.  
41 U. S. C. § 119.

may receive compensation at a rate not to exceed \$35 for each day of service, as determined by the appointing authority.

(b) Service of an individual as a member of any such advisory committee, or in any other part-time capacity for a department or agency hereunder, shall not be considered as service bringing such individual within the provisions of section 109 or 113 of the Criminal Code (U. S. C., 1940 edition, title 18, secs. 198 and 203), or section 19 (e) of the Contract Settlement Act of 1944, unless the act of such individual, which by such section is made unlawful when performed by an individual referred to in such section, is with respect to any particular matter which directly involves a department or agency which such person is advising or in which such department or agency is directly interested.

#### STATUS OF TRANSFERRED CIVILIAN PERSONNEL

**SEC. 304.** All transfers of civilian personnel under this Act shall be without change in classification or compensation, but the head of any department or agency to which such a transfer is made is authorized to make such changes in the titles and designations and prescribe such changes in the duties of such personnel commensurate with their classification as he may deem necessary and appropriate.

#### SAVING PROVISIONS

Orders applicable to transferred functions, etc.

**SEC. 305. (a)** All laws, orders, regulations, and other actions applicable with respect to any function, activity, personnel, property, records, or other thing transferred under this Act, or with respect to any officer, department, or agency, from which such transfer is made, shall, except to the extent rescinded, modified, superseded, terminated, or made inapplicable by or under authority of law, have the same effect as if such transfer had not been made; but, after any such transfer, any such law, order, regulation, or other action which vested functions in or otherwise related to any officer, department, or agency from which such transfer was made shall, insofar as applicable with respect to the function, activity, personnel, property, records or other thing transferred and to the extent not inconsistent with other provisions of this Act, be deemed to have vested such function in or relate to the officer, department, or agency to which the transfer was made.

Nonabatement of suits, etc.

(b) No suit, action, or other proceeding lawfully commenced by or against the head of any department or agency or other officer of the United States, in his official capacity or in relation to the discharge of his official duties, shall abate by reason of the taking effect of any transfer or change in title under the provisions of this Act; and, in the case of any such transfer, such suit, action, or other proceeding may be maintained by or against the successor of such head or other officer under the transfer, but only if the court shall allow the same to be maintained on motion or supplemental petition filed within twelve months after such transfer takes effect, showing a necessity for the survival of such suit, action, or other proceeding to obtain settlement of the questions involved.

55 Stat. 839.  
50 U. S. C. app. § 605.  
50 U. S. C. app. § 601 note.  
50 U. S. C. app. § 601 note.

5 U. S. C. § 411 note.

(c) Notwithstanding the provisions of the second paragraph of section 5 of title I of the First War Powers Act, 1941, the existing organization of the War Department under the provisions of Executive Order Numbered 9082 of February 28, 1942, as modified by Executive Order Numbered 9722 of May 13, 1946, and the existing organization of the Department of the Navy under the provisions of Executive Order Numbered 9635 of September 29, 1945, including the assignment of functions to organizational units within the War and Navy Departments, may, to the extent determined by the Secretary of Defense,

continue in force for two years following the date of enactment of this Act except to the extent modified by the provisions of this Act or under the authority of law.

#### TRANSFER OF FUNDS

SEC. 306. All unexpended balances of appropriations, allocations, nonappropriated funds, or other funds available or hereafter made available for use by or on behalf of the Army Air Forces or officers thereof, shall be transferred to the Department of the Air Force for use in connection with the exercise of its functions. Such other unexpended balances of appropriations, allocations, nonappropriated funds, or other funds available or hereafter made available for use by the Department of War or the Department of the Army in exercise of functions transferred to the Department of the Air Force under this Act, as the Secretary of Defense shall determine, shall be transferred to the Department of the Air Force for use in connection with the exercise of its functions. Unexpended balances transferred under this section may be used for the purposes for which the appropriations, allocations, or other funds were originally made available, or for new expenditures occasioned by the enactment of this Act. The transfers herein authorized may be made with or without warrant action as may be appropriate from time to time from any appropriation covered by this section to any other such appropriation or to such new accounts established on the books of the Treasury as may be determined to be necessary to carry into effect provisions of this Act.

#### AUTHORIZATION FOR APPROPRIATIONS

SEC. 307. There are hereby authorized to be appropriated such sums as may be necessary and appropriate to carry out the provisions and purposes of this Act.

#### DEFINITIONS

SEC. 308. (a) As used in this Act, the term "function" includes functions, powers, and duties.

"Function."

(b) As used in this Act, the term "budget program" refers to recommendations as to the apportionment, to the allocation and to the review of allotments of appropriated funds.

"Budget program."

#### SEPARABILITY

SEC. 309. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.

#### EFFECTIVE DATE

SEC. 310. (a) The first sentence of section 202 (a) and sections 1, 2, 307, 308, 309, and 310 shall take effect immediately upon the enactment of this Act.

*Ante*, pp. 500, 495, 496.

(b) Except as provided in subsection (a), the provisions of this Act shall take effect on whichever of the following days is the earlier: The day after the day upon which the Secretary of Defense first appointed takes office, or the sixtieth day after the date of the enactment of this Act.

#### SUCCESSION TO THE PRESIDENCY

SEC. 311. Paragraph (1) of subsection (d) of section 1 of the Act entitled "An Act to provide for the performance of the duties of the office of President in case of the removal, resignation, death, or inability both of the President and Vice President", approved July 18,

*Ante*, p. 380.

1947, is amended by striking out "Secretary of War" and inserting in lieu thereof "Secretary of Defense", and by striking out "Secretary of the Navy,".

Approved July 26, 1947.

[CHAPTER 344]

AN ACT

July 26, 1947  
[H. R. 4017]  
[Public Law 254]

To amend the Armed Forces Leave Act of 1946 to provide that bonds issued under such Act shall be redeemable at any time after September 1, 1947, to permit settlement and compensation under such Act to be made in cash, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That paragraph (1) of section 6 (a) of the Armed Forces Leave Act of 1946 is amended to read as follows:

60 Stat. 965.  
37 U. S. C. § 35 (a) (1).

Settlement and compensation in cash.

"(1) Settlement and compensation shall be made entirely in cash—

"(i) when the amount due is less than \$50;

"(ii) in the case of any enlisted member of the armed forces discharged prior to January 1, 1943;

"(iii) in any case covered by subsection (b) or (c) of this section; or

"(iv) in the case of any applicant who has not made application for settlement and compensation and who makes application to the Secretary after the enactment of this amendatory Act and who requests that settlement and compensation be made entirely in cash. The amount of cash settlement provided for in this subparagraph shall include an amount equivalent to the amount of interest which would have accrued to the end of the month in which settlement is made had the settlement been made in an armed forces leave bond, issued pursuant to the provisions of paragraph (2) of section 6 (a). Such equivalent amount shall be considered as interest, as in the case of bonds, for the purposes of section 7 of the Armed Forces Leave Act of 1946. Appropriations available for cash payments shall also be available for the payment of the equivalent amounts authorized by this subparagraph to be paid."

60 Stat. 965.  
37 U. S. C. § 35 (a) (2).

60 Stat. 967.  
37 U. S. C. § 36.

60 Stat. 965.  
37 U. S. C. § 35 (a).

Redemption of bonds after Sept. 1, 1947.

SEC. 2. So much of section 6 (a) of the Armed Forces Leave Act of 1946 as reads as follows: "Each such bond shall mature five years from the date thereof." is amended to read as follows: "Each such bond shall mature five years from the date thereof, but shall be redeemable in cash at any time after September 1, 1947, at the option of the holder thereof, at full face value plus accrued interest."

Repeal.  
60 Stat. 967.  
37 U. S. C. § 35 (d) (1).  
60 Stat. 965.  
37 U. S. C. § 35.

SEC. 3. The proviso to section 6 (d) (1) of the Armed Forces Leave Act of 1946 is hereby repealed.

SEC. 4. Section 6 of the Armed Forces Leave Act of 1946 is amended by adding at the end thereof the following new subsection:

"(e) The provisions of subsections (h) and (i) of section 22 of the Second Liberty Bond Act, as amended (U. S. C., Supp. V, title 31, sec. 757c), relating to the use of paying agents for the payment of United States savings bonds shall apply with equal force to payments of the armed forces leave bonds issued pursuant to this Act."

57 Stat. 63.  
31 U. S. C. § 757c.

60 Stat. 965.  
37 U. S. C. § 34.

SEC. 5. Section 5 of the Armed Forces Leave Act of 1946 is amended by striking out the word and figures "September 1, 1947" wherever they appear in this section and inserting in lieu thereof the word and figures "September 1, 1948".

Approved July 26, 1947.

## [CHAPTER 345]

## AN ACT

To provide for the protection, preservation, and extension of the sockeye salmon fishery of the Fraser River system, and for other purposes.

July 29, 1947  
[H. R. 3767]  
[Public Law 255]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Sockeye Salmon Fishery Act of 1947".

Sockeye Salmon  
Fishery Act of 1947.

SEC. 2. When used in this Act—

(a) Convention: The word "convention" means the convention between the United States of America and the Dominion of Canada for the protection, preservation, and extension of the sockeye salmon fishery of the Fraser River system, signed at Washington on the 26th day of May 1930.

"Convention."

(b) Commission: The word "Commission" means the International Pacific Salmon Fisheries Commission provided for by article II of the convention.

50 Stat. 1355.

"Commission."

50 Stat. 1356.

(c) Person: The word "person" includes individuals, partnerships, associations, and corporations.

"Person."

(d) Convention waters: The term "convention waters" means those waters described in article I of the convention.

"Convention waters."

50 Stat. 1355.

"Sockeye salmon."

(e) Sockeye salmon: The term "sockeye salmon" means that species of salmon known by the scientific name *Oncorhynchus nerka*.

(f) Vessel: The word "vessel" includes every type or description of water craft or other contrivance used, or capable of being used, as a means of transportation in water.

"Vessel."

(g) Fishing: The word "fishing" means the fishing for, catching, or taking, or the attempted fishing for, catching, or taking, of any sockeye salmon in convention waters.

"Fishing."

(h) Fishing gear: The term "fishing gear" means any net, trap, hook, or other device, appurtenance or equipment, of whatever kind or description, used or capable of being used, for the purpose of capturing fish or as an aid in capturing fish.

"Fishing gear."

SEC. 3. (a) It shall be unlawful for any person to engage in fishing for sockeye salmon in convention waters in violation of the convention or of this Act or of any regulation of the Commission.

Unlawful acts.

(b) It shall be unlawful for any person to ship, transport, purchase, sell, offer for sale, import, export, or have in possession any sockeye salmon taken in violation of the convention or of this Act or of any regulation of the Commission.

(c) It shall be unlawful for any person or vessel to use any port or harbor or other place subject to the jurisdiction of the United States for any purpose connected in any way with fishing in violation of the convention or of this Act or of any regulation made by the Commission.

(d) It shall be unlawful for any person or vessel to engage in fishing for sockeye salmon in convention waters without first having obtained such license or licenses as may be used by or required by the Commission, or to fail to produce such license, upon demand, for inspection by an authorized enforcement officer.

(e) It shall be unlawful for any person to fail to make, keep, submit, or furnish any record or report required of him by the Commission or to refuse to permit any officer authorized to enforce the convention, this Act, and the regulations of the Commission, or any authorized representative of the Commission, to inspect any such record or report at any reasonable time.

(f) It shall be unlawful for any person to molest, interfere with, tamper with, damage, or destroy any boat, net, equipment, stores, provisions, fish-cultural stations, rearing pond, weir, fishway, or any other structure, installation, experiment, property, or facility acquired, constructed, or maintained by the Commission.

(g) It shall be unlawful for any person or vessel to do any act prohibited or to fail to do any act required by the convention or by this Act or by any regulation of the Commission.

Failure to furnish records, etc.; penalty.

SEC. 4. Any person who fails to make, keep, or furnish any catch return, statistical record, or any report that may be required by the Commission, or any person who furnishes a false return, record, or report, upon conviction shall be subject to such fine as may be imposed by the court not to exceed \$1,000, and shall in addition be prohibited from fishing for and from shipping, transporting, purchasing, selling, offering for sale, importing, exporting, or possessing sockeye salmon from the date of conviction until such time as any delinquent return, record, or report shall have been submitted or any false return, record, or report shall have been replaced by a duly certified correct and true return, record, or report to the satisfaction of the court. The penalties imposed by section 5 of this Act shall not be invoked for failure to comply with requirements respecting returns, records, and reports.

Violation of provisions; penalty.

SEC. 5. (a) Except as provided in section 4, any person violating any provision of the convention or of this Act or the regulation of the Commission upon conviction shall be fined not more than \$1,000 or be imprisoned not more than one year, or both, and the court may prohibit such person from fishing for, or from shipping, transporting, purchasing, selling, offering for sale, importing, exporting, or possessing sockeye salmon for such period of time as it may determine.

Forfeiture.

(b) The catch of fish of every vessel or of any fishing gear employed in any manner, or any fish caught, shipped, transported, purchased, sold, offered for sale, imported, exported, or possessed in violation of this Act or the regulations of the Commission shall be forfeited; and upon a second and subsequent violation the catch of fish shall be forfeited and every such vessel and any fishing gear and appurtenances involved in the violation may be forfeited.

Procedures applicable.

(c) All procedures of law relating to the seizure, judicial forfeiture, and condemnation of a vessel for violation of the customs laws and the disposition of such vessel or the proceeds from the sale thereof shall apply to seizures, forfeitures, and condemnations incurred, or alleged to have been incurred, under the provisions of this Act insofar as such provisions of law are applicable and not inconsistent with this Act.

Issuance of citation.

(d) In cases of minor violations of the provisions of the convention or of this Act or the regulations of the Commission, and in cases where immediate arrest of the person or seizure of fish, fishing gear, or of a vessel, together with its tackle, apparel, furniture, appurtenances, and cargo, would impose an unreasonable hardship, the person authorized to make such arrest or seizure or any court of competent jurisdiction may, in his or its discretion, issue a citation requiring such person to appear before the proper official of the court having jurisdiction thereof within a specified time, not exceeding fifteen days; or in the case of property, post such citation upon said property and require its delivery to such court within such specified time. Upon the issuance of such citation and the filing of a copy thereof with the clerk of the appropriate court the person so cited and the property so seized and posted shall thereupon be subject to the jurisdiction of the court to answer the order of the court in such cause. Any property so seized shall not be disposed of except pursuant to the order of such court or the provisions of subsection (e) of this section.

Bond, etc.

(e) When a warrant of arrest or other process in rem, including that specified in subsection (d) of this section, is issued in any cause of admiralty jurisdiction under this section, the marshal or other officer shall stay the execution of such process, or discharge any property seized if the process has been levied, on receiving from the claimant of

the property a bond or stipulation with sufficient sureties or approved corporate surety in such sum as the court shall order, conditioned to deliver the property seized, if condemned, without impairment in value (or, in the case of sockeye salmon, to pay its equivalent in money) or otherwise to answer the decree of the court in such cause. Such bond or stipulation shall be returned to the court and judgment thereon against both the principal and sureties may be recovered in the event of any breach of the conditions thereof as determined by the court.

SEC. 6. (a) The President of the United States shall designate a Federal agency which shall be responsible for the enforcement of the provisions of the convention and this Act and the regulations of the Commission, except to the extent otherwise provided for in the convention and this Act. It shall be the duty of the Federal agency so designated to take appropriate measures for enforcement at such times and to such extent as it may deem necessary to insure effective enforcement and for this purpose to cooperate with other Federal agencies, State officers, the Commission, and with the authorized officers of the Dominion of Canada.

Designation of enforcement agency.

(b) The Federal agency designated by the President for enforcement purposes may authorize officers and employees of the State of Washington to enforce the provisions of the convention and of this Act and the regulations of the Commission. When so authorized such officers may function as Federal law-enforcement officers for the purposes of this Act.

Enforcement officers.

(c) Enforcement of the convention and this Act and the regulations of the Commission shall be subject to and in accordance with the provisions of article IX of the convention.

50 Stat. 1359.

(d) Any duly authorized officer or employee of the Federal agency designated by the President for enforcement purposes under the provisions of subsection (a) of this section 6; any officer or employee of the State of Washington who is authorized by the Federal agency so designated by the President; any enforcement officer of the Fish and Wildlife Service of the Department of the Interior, any Coast Guard officer, any United States marshal or deputy United States marshal, any collector or deputy collector of customs, and any other person authorized to enforce the provisions of the convention, this Act, and the regulations of the Commission, shall have power, without warrant or other process, but subject to the provisions of the convention, to arrest any person committing in his presence or view a violation of the convention or of this Act or of the regulations of the Commission and to take such person immediately for examination before an officer or trial before a court of competent jurisdiction; and shall have power, without warrant or other process, to search any vessel within convention waters when he has reasonable cause to believe that such vessel is subject to seizure under the provisions of the convention or this Act, or the regulations of the Commission, and to search any place of business or any commercial vehicle when he has reasonable cause to believe that such place or vehicle contains fish taken, possessed, transported, purchased, or sold in violation of any of the provisions of the convention, this Act, or the regulations of the Commission. Any person authorized to enforce the provisions of the convention and of this Act and the regulations of the Commission shall have power to execute any warrant or process issued by an officer or court of competent jurisdiction for the enforcement of this Act, and shall have power with a search warrant to search any person, vessel, or place, at any time. The judges of the United States courts and the United States commissioners may, within their respective jurisdictions, upon proper oath or affirmation showing probable cause, issue warrants in all such cases. Subject to

Power to arrest without warrant, etc.

Power to execute warrant, etc.

Issuance of warrants.

Seizure.

the provisions of the convention, any person authorized to enforce the convention and this Act and the regulations of the Commission may seize, whenever and wherever lawfully found, all fish caught, shipped, transported, purchased, sold, offered for sale, imported, exported, or possessed contrary to the provisions of the convention or this Act or the regulations of the Commission and may seize any vessel, together with its tackle, apparel, furniture, appurtenances and cargo, and all fishing gear, used or employed contrary to the provisions of the convention or this Act or the regulations of the Commission, or which it reasonably appears has been used or employed contrary to the provisions of the convention or this Act or the regulations of the Commission.

Certification of regulations.

(e) Evidence of any regulation made by the Commission may be given in any court proceedings by the production of a copy of such regulation certified by the Secretary of the Commission to be a true copy and no proof of the signature of the Secretary on such certification shall be required.

Inspection of licenses.

(f) Any authorized representative of the Commission, or any person authorized to enforce this Act and the regulations of the Commission may inspect any licenses issued to persons or vessels engaging in fishing for sockeye salmon in convention waters and for this purpose may at any reasonable time board any vessel or enter upon any premises where such fishing is or may be conducted.

Assistance of Government agencies.

SEC. 7. (a) All agencies of the Federal Government are authorized, upon request by the Commission, to furnish facilities and personnel for the purpose of assisting the Commission in carrying out its duties of scientific investigation and improvement of the fishery, as specified in the convention.

Scientific investigations, etc.

(b) None of the prohibitions contained in this Act, or in the laws and regulations of the States, shall prevent the Commission from conducting or authorizing the conduct of fishing operations and biological experiments at any time for purposes of scientific investigation, or shall prevent the Commission from discharging any other duties prescribed by the convention.

Appropriations authorized.

SEC. 8. There is authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums, from time to time, as may be necessary to enable the Commission and agencies of the Federal Government to carry out the provisions of the convention and of this Act, including purchase, operation, maintenance, and repair of aircraft, motor vehicles (including passenger-carrying vehicles), boats, research vessels, and other necessary facilities; and printing.

Separability of provisions.

SEC. 9. If any provision of this Act is held invalid for any cause, such invalidity shall not affect the other provisions hereof.

Effective date.

SEC. 10. This Act shall be effective thirty days from the date of its approval.

Approved July 29, 1947.

#### [CHAPTER 346]

#### AN ACT

July 29, 1947  
[H. R. 4268]  
[Public Law 256]

Making supplemental appropriations for Government corporations and independent executive agencies for the fiscal year ending June 30, 1948, and for other purposes.

The Supplemental Government Corporations Appropriation Act, 1948.  
*Post*, pp. 574, 703.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### TITLE I

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated for the fiscal year ending June 30, 1948, namely:

## NATIONAL HOUSING AGENCY

## OFFICE OF THE ADMINISTRATOR

Veterans' housing: For an additional amount to enable the National Housing Administrator to carry out the purposes of sections 501, 502, and 503 of title V of the Act of October 14, 1940, as amended (42 U. S. C. 1571, 1572, and 1573), \$35,500,000, of which not to exceed \$700,000 shall be available for administrative expenses, to be available only in accordance with the provisions of section 2 of Public Law 85, Eightieth Congress, approved May 31, 1947: *Provided*, That any operations or services performed, under a delegation from the National Housing Administrator, by any agency of the Government in carrying out any of the purposes for which said funds are appropriated shall be performed under the direction and supervision of said Administrator.

59 Stat. 260.  
*Ante*, p. 128; *post*, p. 575.

*Ante*, p. 128.

## TITLE II

The Reconstruction Finance Corporation and its subsidiaries, as hereinafter specified, are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to said corporation and its subsidiaries and in accord with law, and to make such contracts and commitments without regard to fiscal-year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the revision of the budget of the Reconstruction Finance Corporation and its subsidiaries for the fiscal year 1948, except as hereinafter provided:

RFC and subsidiaries.

59 Stat. 598.  
31 U. S. C. § 849.  
*Post*, p. 584.

Not to exceed \$38,754,700 (to be computed on an accrual basis) of the funds of the Reconstruction Finance Corporation shall be available during the fiscal year 1948 for its administrative expenses and the administrative expenses of the Federal National Mortgage Association and the U. S. Commercial Company; not to exceed \$1,500 for periodicals and newspapers; health service program as authorized by Act of August 8, 1946 (Public Law 658); use of the services and facilities of the Federal Reserve banks; and not to exceed \$75,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944: *Provided*, That as used herein the term "administrative expenses" shall be construed to include all salaries and wages, services performed on a contract or fee basis, and travel and other expenses, including the purchases of equipment and supplies, of administrative offices: *Provided further*, That the limiting amount heretofore stated for administrative expenses shall be increased by an amount which does not exceed the aggregate cost of salaries, wages, travel, and other expenses of persons employed outside the continental United States; wages, fees, and other expenses, including cost of contract services, of persons who are exclusively engaged in construction, operation, clearance, maintenance and protection of plants, operating facilities, acquired collateral, and other property in which the Corporation has an interest; the expenses of services performed on a contract or fee basis in connection with termination of contracts or in the performance of legal services; and all expenses reimbursable from other Government agencies: *Provided further*, That the distribution of administrative expenses to the accounts of the Corporation shall be made in accordance with its accounting principles and practices: *Provided further*, That none of the funds of the Reconstruction Finance Corporation and the subsidiaries thereof shall be

Administrative expenses.

60 Stat. 903.  
5 U. S. C. § 150.

58 Stat. 394.  
39 U. S. C. §§ 321c-321h.  
*Ante*, p. 450.

Increase in limitation.

Accounting.

Surplus property.



Waiver of reimbursement from WAA.

Purchases, etc.

Loans to States, etc.

60 Stat. 589.

used for the custody, maintenance, or disposal of any surplus property within the continental limits of the United States, its Territories or possessions, except such property as may be owned by and held for disposal by the Reconstruction Finance Corporation or its subsidiaries; but, notwithstanding any other provision of law, the Reconstruction Finance Corporation may waive reimbursement from War Assets Administration for the administrative property transferred prior to July 1, 1946, and for expenses incurred prior thereto in the custody, maintenance, or disposal of any surplus property: *Provided further*, That no part of the funds of the Reconstruction Finance Corporation or of any subsidiary thereof shall be used to make any purchase or for personal services or to enter into any contract for the use or benefit of any other agency of the Government unless such agency shall have authority in law and appropriations available to make reimbursement for such purchase, personal services, or contract: *Provided further*, That none of the funds of the Reconstruction Finance Corporation and its subsidiaries shall be used for the making of any loan to any State, any subdivision thereof, any municipality therein, or any public authority, for construction purposes, unless in pursuance of a specific authorization if such loan would increase the aggregate amount of such loans outstanding above \$125,000,000 (Act of July 20, 1946, Public Law 519).

### TITLE III

#### GENERAL PROVISIONS

Post, p. 533.

Short title.

SEC. 301. The authorities, restrictions, and prohibitions specified under the head "General provisions" in the Government Corporations Appropriations Act, 1948, shall be applicable to this Act.

SEC. 302. This Act may be cited as "The Supplemental Government Corporations Appropriation Act, 1948".

Approved July 29, 1947.

#### [CHAPTER 347]

#### AN ACT

July 30, 1947  
[S. 616]  
[Public Law 257]

To authorize the creation of a game refuge in the Francis Marion National Forest in the State of South Carolina.

Francis Marion National Forest.  
Game refuges.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That for the purpose of providing breeding places for game animals and birds and for the protection and administration of game animals and birds, and fish, the President of the United States is hereby authorized, upon the recommendation of the Secretary of Agriculture, to establish by public proclamation certain specified federally owned areas within the Francis Marion National Forest as game sanctuaries and refuges.

Execution of provisions.

Violation of rules, etc.

SEC. 2. The Secretary of Agriculture shall execute the provisions of this Act, and he is hereby authorized to prescribe all general rules and regulations for the administration of such game sanctuaries and refuges, and violation of such rules and regulations shall be punished by fine of not more than \$500 or imprisonment for not more than six months or both.

Approved July 30, 1947.

## [CHAPTER 348]

## AN ACT

To regulate the interstate transportation of black bass and other game fish, and for other purposes.

July 30, 1947  
[S. 682]  
[Public Law 258]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act entitled "An Act to regulate the interstate transportation of black bass, and for other purposes", approved May 20, 1926, as amended, is hereby further amended to read as follows:

Interstate transportation of black bass.

44 Stat. 576.  
16 U. S. C. §§ 851-855.

"Person."

"Game fish."

"That when used in this Act the word 'person' includes company, partnership, corporation, association, and common carrier, and the term 'game fish' shall mean black bass and such other fish as are defined as game fish by the laws of the State, Territory, or the District of Columbia, in which the fish has been either caught, killed, taken, sold, purchased, or possessed, or from which it was transported.

Unlawful acts.

"Sec. 2. It shall be unlawful for any person to deliver or knowingly receive for transportation, or knowingly to transport, by any means whatsoever, from any State, Territory, or the District of Columbia, to or through any other State, Territory, or the District of Columbia, or to or through any foreign country, any black bass or other game fish, if (1) such transportation is contrary to the law of the State, Territory, or the District of Columbia from which such black bass or other game fish is or is to be transported, or is contrary to other applicable law, or (2) such black bass or other game fish has been either caught, killed, taken, sold, purchased, possessed, or transported, at any time, contrary to the law of the State, Territory, or the District of Columbia in which it was caught, killed, taken, sold, purchased, or possessed, or from which it was transported or contrary to other applicable law; and no person shall knowingly purchase or receive any such black bass or other game fish which has been transported in violation of the provisions of this Act; nor shall any person receiving any shipment of black bass or other game fish transported in interstate commerce make any false record or render a false account of the contents of such shipment.

Marking of package.

"Sec. 3. Any package or container containing such game fish transported or delivered for transportation in interstate commerce, except any shipment covered by section 9, shall be clearly and conspicuously marked on the outside thereof with the name 'Game Fish', an accurate statement of the number of each species of such fish contained therein, and the names and addresses of the shipper and consignee.

Post, p. 518.

"Sec. 4. All such black bass or other game fish transported into any State, Territory, or the District of Columbia for use, consumption, sale, or storage therein shall upon arrival in such State, Territory, or the District of Columbia be subject to the operation and effect of the laws of such State, Territory, or the District of Columbia to the same extent and in the same manner as though such fish had been produced in such State, Territory, or the District of Columbia, and shall not be exempt therefrom by reason of being introduced therein in original packages or otherwise.

Application of State laws, etc.

"Sec. 5. The Secretary of the Interior is authorized (1) to make such expenditures, including expenditures for personal services at the seat of government and elsewhere, and for cooperation with local, State, and Federal authorities, including the issuance of publications, and necessary investigations, as may be necessary to execute the functions imposed upon him by this Act and as may be provided for by Congress from time to time; and (2) to make such regulations as he deems necessary to carry out the purposes of this Act. Any person violating any such regulation shall be deemed guilty of a violation of this Act.

Expenditures.

Regulations.

Powers of employee  
authorized to enforce  
provisions.

"SEC. 6. (a) Any employee of the Department of the Interior authorized by the Secretary of the Interior to enforce the provisions of this Act (1) shall have power, without warrant, to arrest any person committing in the presence of such employee a violation of this Act or any regulation made in pursuance of this Act, and to take such person immediately for examination or trial before an officer or court of competent jurisdiction; (2) shall have power to execute any warrants or other process issued by an officer or court of competent jurisdiction to enforce the provisions of this Act or regulations made in pursuance thereof; and (3) shall have authority with a search warrant issued by an officer or court of competent jurisdiction, to make search in accordance with the terms of such warrant. Any judge of a court established under the laws of the United States, or any United States commissioner may, within his respective jurisdiction, upon proper oath or affirmation showing probable cause, issue warrants in all such cases.

Issuance of war-  
rants.

Seizure and forfei-  
ture.

"(b) All fish delivered for transportation or which have been transported, purchased, received, or which are being transported, in violation of this Act, or any regulations made pursuant thereto, shall, when found by such employee or by any marshal or deputy marshal, be summarily seized by him and placed in the custody of such persons as the Secretary of the Interior shall be regulations prescribe, and shall, as a part of the penalty and in addition to any fine or imprisonment imposed under section 7 of this Act, be forfeited by such court to the United States upon conviction of the offender under this Act, or upon judgment of the court that the same were transported, delivered, purchased, or received in violation of this Act or regulations made pursuant thereto.

Penalty.

"SEC. 7. In addition to any forfeiture herein provided, any person who shall violate any of the provisions of this Act shall, upon conviction thereof, be punished by a fine of not exceeding \$200, or imprisonment for a term of not more than three months, or by both such fine and imprisonment, in the discretion of the court.

State laws, etc.

"SEC. 8. Nothing in this Act shall be construed to prevent the several States and Territories from making or enforcing laws or regulations not inconsistent with the provisions of this Act, or from making or enforcing laws or regulations which shall give further protection to black bass and other game fish.

Shipment for breed-  
ing purposes, etc.

"SEC. 9. Nothing in this Act shall be construed to prevent the shipment in interstate commerce of live fish and eggs for breeding or stocking purposes.

Nonapplicability.

"SEC. 10. The provisions of this Act as relating to game fish shall not apply to steelhead trout (*salmo gairdnerii*) legally taken in the Columbia River between the States of Washington and Oregon."

Approved July 30, 1947.

#### [CHAPTER 349]

#### AN ACT

July 30, 1947  
[S. 1180]  
[Public Law 259]

To authorize the issuance of a special series of commemorative stamps in honor of Gold Star Mothers.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Postmaster General is authorized and directed to prepare for issuance at as early a date as practicable, a special series of 3-cent postage stamps, of such design as he shall prescribe, in honor and commemoration of Gold Star Mothers.

Approved July 30, 1947.

## [CHAPTER 350]

## AN ACT

To transfer jurisdiction of certain lands comprising a portion of Acadia National Park, Maine, from the Department of the Interior to the Department of the Navy, and for other purposes.

July 30, 1947  
[S. 1220]  
[Public Law 260]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That control and jurisdiction over the following-described lands now comprising a portion of the Acadia National Park, in the State of Maine, are hereby transferred from the Department of the Interior to the Department of the Navy: *Provided*, That the Secretary of the Interior shall retain the right to approve the design of the buildings and structures to be placed thereon.

Acadia National  
Park, Maine.  
Transfer of jurisdiction.

Approval of design  
of buildings, etc.

All that certain tract or parcel of land on Big Moose Island, Winter Harbor, Maine, which is bounded southerly and easterly by a chain link security fence, and northerly and westerly by the waters of Pond Island Cove and Frenchman Bay, and which is more particularly described as beginning at a point on the shore at the high-water mark of Frenchman Bay on the southwesterly side of Big Moose Island, so called, thence following the chain link security fence as now erected by the three following courses and distances: North no degrees five minutes west one hundred and fifty-three feet; thence north thirty degrees twenty-four minutes east one hundred and fifty-seven and seven-tenths feet; thence south eighty-nine degrees nine minutes east one thousand four hundred and fifty-five and three-tenths feet to a point and angle in the said security fence which bears north thirty-four degrees fifty-four minutes west and is fifty feet distant at right angles from a point in the center line of the National Park Service road known as the Big Moose Island Road; thence turning to the left and following the said security fence in a general northerly direction but everywhere parallel with and fifty feet distant from the center line of the said Big Moose Island Road three thousand five hundred feet more or less to the high-water mark on the shore of Pond Island Cove; thence in a generally westerly and southerly direction but everywhere following the high-water mark of Pond Island Cove and Frenchman Bay seven thousand four hundred and seventy feet more or less to the place of beginning; except that portion thereof, containing twenty-five and ninety-six one-hundredths acres, which was transferred to the jurisdiction of the Department of the Navy pursuant to the Act of August 24, 1935 (ch. 644, 49 Stat. 795); the lands herein described containing one hundred and fifty-one and eighty-six one-hundredths acres after excluding the excepted portion.

SEC. 2. The Secretary of the Navy is authorized and directed to retransfer jurisdiction over the property described in section 1 of this Act to the Secretary of the Interior in the event such property hereafter becomes surplus to the needs of the Department of the Navy, in which event it again shall become a part of Acadia National Park.

Retransfer of jurisdiction.

Approved July 30, 1947.

## [CHAPTER 351]

## AN ACT

To provide for the addition of certain revested Oregon and California Railroad grant lands to the Silver Creek recreational demonstration project, in the State of Oregon, and for other purposes.

July 30, 1947  
[S. 1348]  
[Public Law 261]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in order to carry out the purposes of the Act of June 6, 1942 (56 Stat. 326; 16 U. S. C., secs. 459r-459t), relating to the disposition of recreational

Silver Creek recreational demonstration project.

demonstration areas, and to effectuate the transfer to the State of Oregon, pursuant to that Act, of the Silver Creek recreational demonstration project, the following-described revested Oregon and California Railroad grant lands shall hereafter be administered as a part of the Silver Creek recreational demonstration project and shall be subject to all of the provisions of the aforesaid Act of June 6, 1942:

WILLAMETTE MERIDIAN

Township 8 south, range 1 east:

Section 13, east half southeast quarter and southeast quarter northeast quarter;

Section 25, all;

Section 35, north half northeast quarter northeast quarter and north half south half northeast quarter northeast quarter;

Township 8 south, range 2 east:

Section 17, south half southwest quarter and northwest quarter southwest quarter;

Section 19, lots 3, 4, and northeast quarter;

Section 29, west half; and

Section 31, north half;

comprising one thousand seven hundred and ninety-one and ninety-three one-hundredths acres.

SEC. 2. The following-described lands also shall become a part of the Silver Creek recreational demonstration project and shall be subject to the provisions of the Act of June 6, 1942, upon acquisition of title thereto by the Oregon and California Revested Lands Administration:

WILLAMETTE MERIDIAN

Township 8 south, range 1 east: Section 36, northeast quarter, northeast quarter northwest quarter, north half southeast quarter northwest quarter, north half south half southeast quarter northwest quarter, north half northwest quarter northwest quarter, and north half south half northwest quarter northwest quarter; comprising two hundred and sixty acres.

Approved July 30, 1947.

[CHAPTER 352]

AN ACT

To amend section 10 of the Federal Reserve Act, as amended, and for other purposes.

July 30, 1947

[S. 1519]

[Public Law 262]

42 Stat. 622, 1223.

Cost of branch bank buildings.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the ninth paragraph of section 10 of the Federal Reserve Act, as added by the Act of June 3, 1922, and amended by the Act of February 6, 1923 (U. S. C., title 12, sec. 522), is hereby amended by changing the period at the end thereof to a colon and by adding the following proviso: "*Provided further,* That the cost as above specified shall not be so limited as long as the aggregate of such costs which are incurred by all Federal Reserve banks for branch bank buildings with the approval of the Board of Governors after the date of enactment of this proviso does not exceed \$10,000,000."

Approved July 30, 1947.

## [CHAPTER 353]

## AN ACT

To amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide for the return of the amount of deductions from the compensation of any employee who is separated from the service or transferred to a position not within the purview of such Act before completing ten years of service.

July 30, 1947  
[H. R. 1995]  
[Public Law 263]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 12 (b) of the Civil Service Retirement Act of May 29, 1930, as amended, is amended to read as follows:

"(b) In the case of any officer or employee to whom this Act applies who shall be transferred to a position not within the purview of this Act, or who shall become absolutely separated from the service before he shall have completed an aggregate of ten years of civilian service computed in accordance with section 5 of this Act, the amount of deductions from his basic salary, pay, or compensation credited to his individual account, together with interest at 4 per centum compounded on December 31 of each year, shall, upon his request, be returned to such officer or employee: *Provided*, That when an officer or employee becomes involuntarily separated from the service, not by removal for cause on charges of misconduct or delinquency before completing ten years of creditable civilian service the total amount of deductions from his basic salary, pay, or compensation with interest at 4 per centum compounded on December 31 of each year shall, upon his request, be returned to such officer or employee: *Provided further*, That in case any request under this subsection is submitted after the date of transfer to a position not within the purview of this Act or of absolute separation from the service, the interest allowed for the period after such date of transfer or separation shall be at the rate of 3 per centum compounded on December 31 of each year: *Provided further*, That no such interest shall be allowed on any separation unless the service covered thereby aggregates more than one year: *And provided further*, That all deductions from basic salary, pay, or compensation so returned to an officer or employee must, upon reinstatement, retransfer, or reappointment to a position coming within the purview of this Act be redeposited with interest at 4 per centum compounded on December 31 of each year before such officer or employee may derive any benefits under this Act, except as provided in this section, but interest shall not be required covering any period of separation from the service. In computing interest under this subsection, a fractional part of a month in the total service, or in the total period after the date of transfer or separation, of an officer or employee shall be disregarded."

SEC. 2. The amendment made by the first section of this Act to section 12 (b) of such Act of May 29, 1930, as amended, shall take effect as of January 24, 1942.

Approved July 30, 1947.

Civil Service Retirement Act, amendment.  
46 Stat. 476.  
5 U. S. C. § 724 (b).  
Return of deductions.

46 Stat. 472.  
5 U. S. C. § 707.

Involuntary separation.

Interest after separation, etc.

Redeposit of deductions.

Computation of interest.

Effective date.

## [CHAPTER 354]

## AN ACT

To amend section 1 of the Act of August 24, 1912 (37 Stat. 497, 5 U. S. C., sec. 488), fixing the price of copies of records furnished by the Department of the Interior.

July 30, 1947  
[H. R. 2938]  
[Public Law 264]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1 of the Act of August 24, 1912 (37 Stat. 497, 5 U. S. C., sec. 488), is amended to read as follows: That the Secretary of the Interior, the head of any bureau, office, or institution, or any officer of that department, may, when not prejudicial to the interests of the Government,

Department of the Interior.

Copies of records, etc.

Certificate, etc.

Copies for official use.

Copies for gratuitous distribution.

furnish authenticated or unauthenticated copies of any official books, records, papers, documents, maps, plats, or diagrams within his custody, and charge therefor a sum equal to the cost of production thereof, as determined by the Secretary of the Interior or such subordinate official or employee as he may designate, and in addition the sum of 25 cents for each certificate or verification and the seal attached to authenticated copies: *Provided*, That there shall be no charge for the making or verification of copies required for official use by the officers of any branch of the Government: *Provided further*, That only a charge of 25 cents shall be made for furnishing authenticated copies of any rules, regulations, or instructions printed by the Government for gratuitous distribution. The money received for copies under this section shall be deposited in the Treasury to the credit of the appropriations then current and chargeable for the cost of furnishing copies as herein authorized.

SEC. 2. Section 1 of the Act of June 5, 1920 (41 Stat. 908, 43 U. S. C., sec. 22) is amended by striking out the words "*Provided*, That hereafter photolithographic copies of township plats shall be sold to the public at 50 cents each."

Approved July 30, 1947.

[CHAPTER 355]

AN ACT

July 30, 1947  
[H. R. 3075]  
[Public Law 265]

To amend the Act of July 6, 1945, relating to the classification and compensation of employees of the postal service, so as to provide proper recompense in the form of compensatory time for overtime performed by supervisors.

Postal service.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act known as Public Law 134, Seventy-ninth Congress, entitled "An Act to reclassify the salaries of postmasters, officers, and employees of the Postal Service; to establish uniform procedures for computing compensation; and for other purposes", approved July 6, 1945, is amended as follows:

59 Stat. 435.  
39 U. S. C. §§ 851-876.  
*Ante*, p. 57.

Section 3 is amended as follows:

Compensatory time.

59 Stat. 435.  
39 U. S. C. § 853.

Payment of overtime for services in December.

Supervisory employees.

Nonapplicability.

"SEC. 3. When the needs of the service require employees to perform service on Saturdays, Sundays, or holidays, they shall be allowed compensatory time for such service on one day within five working days next succeeding the Saturday or Sunday and within thirty days next succeeding the holiday: *Provided*, That the Postmaster General may, if the exigencies of the service require, authorize the payment of overtime to employees other than supervisory employees whose base salaries are more than \$3,600 per annum for services performed on Saturdays, Sundays, and Christmas Day during the month of December in lieu of compensatory time: *Provided further*, That supervisory employees shall be allowed compensatory time for services performed in excess of eight hours per day, and those whose base salaries are more than \$3,600 per annum shall be allowed compensatory time for services performed on Saturdays, Sundays, and on Christmas Day during the month of December within one hundred and eighty days from the days such service was performed: *And provided further*, That the provisions of this section shall not apply to employees of the Railway Mail Service and the Air Mail Service; post-office inspectors; rural carriers; traveling mechanics; examiners of equipment and supplies; clerks in third-class post offices; and employees paid on an hourly basis."

Approved July 30, 1947.

## [CHAPTER 356]

## AN ACT

Making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1948, and for other purposes.

July 30, 1947  
[H. R. 3601]  
[Public Law 266]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Agriculture for the fiscal year ending June 30, 1948, hereinafter referred to as the current fiscal year, namely:

Department of Agriculture Appropriation Act, 1948.  
*Ante*, pp. 118, 187, 188, 245, 361; *post*, pp. 608, 609, 617, 618, 698, 932, 942.

## TITLE I—GENERAL APPROPRIATIONS

## OFFICE OF THE SECRETARY

## SALARIES AND EXPENSES

*Post*, p. 942.

For personal services in the office of the Secretary of Agriculture, hereafter in this Act referred to as the Secretary, in the District of Columbia, and elsewhere, and other necessary expenses, including the purchase of two (one at not to exceed \$3,000) passenger motor vehicles; travel expenses, including examination of estimates for appropriations in the field; stationery, supplies, materials, and equipment; freight, express, and drayage charges; advertising, communication service, postage, washing towels, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department of Agriculture, hereafter in this Act referred to as the Department, \$2,050,000, together with such amounts from other appropriations or authorizations as are provided in the schedules in the Budget for the current fiscal year for such services and expenses, which several amounts or portions thereof as may be determined by the Secretary not exceeding a total of \$87,560, shall be transferred to and made a part of this appropriation: *Provided, however*, That if the total amounts of such appropriations or authorizations for the current fiscal year shall at any time exceed or fall below the amounts estimated, respectively, therefor in the Budget for such year, the amounts transferred or to be transferred therefrom to this appropriation shall be increased or decreased in such amounts as the Director of the Bureau of the Budget, after a hearing thereon with representatives of the Department shall determine are appropriate to the requirements as changed by such reductions or increases in such appropriations or authorizations: *Provided further*, That, of appropriations herein made which are available for the purchase of lands, not to exceed \$1 may be expended for each option to purchase any particular tract or tracts of land: *Provided further*, That no part of the funds appropriated by this Act shall be used for the payment of any officer or employee of the Department who, as such officer or employee, or on behalf of the Department or any division, commission, or bureau thereof, issues, or causes to be issued, any prediction, oral or written, or forecast, except as to damage threatened or caused by insects and pests, with respect to future prices of cotton or the trend of same: *Provided further*, That, except to provide materials required in or incident to research or experimental work where no suitable domestic product is available, no part of the funds appropriated by this Act shall be expended in the purchase of twine manufactured from commodities or materials produced outside of the United States.

Adjustments in amounts.

Options to purchase lands.

Employee predicting future price of cotton.

Purchase of twine.



## PENALTY MAIL

*Post*, p. 618.  
58 Stat. 394.  
39 U. S. C. §§ 321c-321h.  
*Ante*, p. 450.

For deposit in the Treasury for cost of penalty mail of the Department, as required by the Act of June 28, 1944 (39 U. S. C. 321d), \$3,486,000.

## RESEARCH AND MARKETING ACT OF 1946

60 Stat. 1082.  
7 U. S. C. §§ 427, 427h-427j, 1621-1629.  
*Post*, p. 694.  
49 Stat. 436.  
7 U. S. C. §§ 427-427g.

60 Stat. 1085, 1086.  
7 U. S. C. § 427i.  
60 Stat. 1091.  
7 U. S. C. §§ 1628, 1629.

60 Stat. 1083.  
7 U. S. C. § 427h.

60 Stat. 1085.  
7 U. S. C. § 427i (a).

60 Stat. 1086.  
7 U. S. C. § 427i (b).

60 Stat. 1087.  
7 U. S. C. §§ 1621-1627.  
58 Stat. 394.  
39 U. S. C. §§ 321c-321h.  
*Ante*, p. 450.  
Printing and binding.

Work relating to fish, etc.

To enable the Secretary to carry into effect the provisions of the Act of August 14, 1946 (Public Law 733), including in addition to the objects for which funds are available for such Act of August 14, 1946, and under title I of the Bankhead-Jones Act, as amended, personal services in the District of Columbia; printing and binding; over-all administration, planning, and coordination of research under section 10 pursuant to the provisions of section 10 (c); and necessary expenses for carrying out the provisions of title III of the Act, as follows:

For payments to States, Territories, and Puerto Rico for agricultural experiment stations pursuant to section 9 of the Bankhead-Jones Act approved June 29, 1935, as amended by the Act of August 14, 1946, \$2,500,000, of which such amount as shall be allotable to Alaska shall be transferred to and made a part of the appropriation "Research on agricultural problems of Alaska", without matching requirement;

For research on utilization and associated problems pursuant to section 10 (a) of said Act, \$3,000,000;

For cooperative research other than research on utilization of agricultural commodities and the products thereof, pursuant to section 10 (b) of said Act, \$1,500,000;

For the improvement and development, independently or through cooperation among Federal and State agencies, and others, of a sound and efficient system for the distribution and marketing of agricultural products pursuant to the "Agricultural Marketing Act of 1946" (title II of the Act of August 14, 1946), \$2,000,000;

In all, \$9,000,000: *Provided*, That such sums as may be necessary for penalty mail as required by the Act of June 28, 1944, may be transferred to the regular departmental appropriation therefor: *Provided further*, That for necessary printing and binding there may be transferred to, and made a part of, the item "Printing and binding, Department of Agriculture," such sums as are necessary: *Provided further*, That the Secretary may make available to any bureau, office, or agency of the Department such amounts from this appropriation as may be necessary to carry out the functions for which it is made, and any such amounts shall be in addition to amounts transferred or otherwise made available to other appropriation items of the Department: *Provided further*, That no part of this appropriation shall be available for work relating to fish or shellfish or any product thereof, except for the support of equitable transportation rates before Federal agencies concerned with such rates.

## OFFICE OF THE SOLICITOR

For necessary expenses, including personal services in the District of Columbia and payment of fees or dues for the use of law libraries by attorneys in the field service, \$2,125,000, together with such amounts from other appropriations or authorizations as are provided in the schedules in the Budget for the current fiscal year for such expenses, which several amounts or portions thereof, as may be determined by the Secretary, not exceeding a total of \$136,000 shall be transferred to

and made a part of this appropriation; and there may be expended for personal services in the District of Columbia not to exceed \$1,500,000: *Provided, however*, That if the total amounts of such appropriations or authorizations for the current fiscal year shall at any time exceed or fall below the amounts estimated, respectively, therefor in the Budget for such year, the amounts transferred or to be transferred therefrom to this appropriation and the amount which may be expended for personal services in the District of Columbia shall be increased or decreased in such amounts as the Director of the Bureau of the Budget, after a hearing thereon with representatives of the Department, shall determine are appropriate to the requirements as changed by such reductions or increases in such appropriations or authorizations.

Adjustments in amounts.

## OFFICE OF INFORMATION

### SALARIES AND EXPENSES

For necessary expenses in connection with the publication, indexing, illustration, and distribution of bulletins, documents, and reports, the preparation, distribution, and display of agricultural motion and sound pictures, and exhibits, and the coordination of informational work in the Department, \$575,000, together with such amounts from other appropriations or authorizations as are provided in the schedules in the Budget for the current fiscal year for such expenses, which several amounts or portions thereof, as may be determined by the Secretary, not exceeding a total of \$13,975 shall be transferred to and made a part of this appropriation, of which total appropriation amounts not exceeding those specified may be used for the purposes enumerated as follows: For personal services in the District of Columbia, \$533,000; for preparation and display of exhibits, \$128,400; and the preparation, distribution, and display of motion and sound pictures, \$67,400: *Provided, however*, That if the total amounts of the appropriations or authorizations for the current fiscal year from which transfers to this appropriation are herein authorized shall at any time exceed or fall below the amounts estimated, respectively, therefor in the Budget for such year, the amounts transferred or to be transferred therefrom to this appropriation and the amount which may be expended for personal services in the District of Columbia shall be increased or decreased in such amounts as the Director of the Bureau of the Budget, after a hearing thereon with representatives of the Department, shall determine are appropriate to the requirements as changed by such reductions or increases in such appropriations or authorizations: *Provided further*, That when and to the extent that in the judgment of the Secretary agricultural exhibits and motion and sound pictures relating to the authorized programs of the various agencies of the Department can be more advantageously prepared, displayed, or distributed by the Office of Information, as the central agency of the Department therefor, additional funds not exceeding \$300,000 for these purposes may be transferred to and made a part of this appropriation, from the funds applicable, and shall be available for the objects specified herein, including personal services in the District of Columbia: *Provided further*, That in the preparation of motion pictures or exhibits by the Department, not exceeding a total of \$10,000 may be used for employment pursuant to the second sentence of section 706 (a) of the Department of Agriculture Organic Act of 1944 (5 U. S. C. 574), said Act being elsewhere herein referred to as the Organic Act of 1944, as amended by section 15 of the Act of August 2, 1946 (Public Law 600): *Provided*, That no part of this appropriation shall be used for the establishment or maintenance of regional or State field offices

Adjustments in amounts.

Transfer of additional funds if Office acts as central agency.

Temporary employment.

58 Stat. 742.

60 Stat. 810.  
5 U. S. C. § 55a.  
Regional or State field offices.

or for the compensation of employees in such offices except that not to exceed \$10,000 may be used to maintain the San Francisco radio office.

#### PRINTING AND BINDING

Annual Report of  
the Secretary.  
28 Stat. 601; 38 Stat.  
1110; 49 Stat. 1550; 34  
Stat. 825.

Farmers' bulletins.

40 Stat. 1270.

Yearbook of Agri-  
culture.  
28 Stat. 612.  
Transfer of funds.

52 Stat. 31.  
7 U. S. C. § 1281.  
60 Stat. 230.  
42 U. S. C. §§ 1751  
1760.

49 Stat. 774.

Limitation.

For printing and binding for the Department, including all of its bureaus, offices, institutions, and services, except as otherwise provided, \$1,607,000, including the purchase of reprints of scientific and technical articles published in periodicals and journals; the Annual Report of the Secretary, as required by the Acts of January 12, 1895 (44 U. S. C. 111, 212–220, 222, 241, 244), March 4, 1915 (7 U. S. C. 418), and June 20, 1936 (5 U. S. C. 108), and in pursuance of the Act approved March 30, 1906 (44 U. S. C. 214, 224), also including not to exceed \$250,000 for farmers' bulletins, which shall be adapted to the interests of the people of the different sections of the country, an equal proportion of four-fifths of which shall be delivered to or sent out under the addressed franks furnished by the Senators, Representatives, and Delegates in Congress, as they shall direct, but not including work done at the field printing plants of the Forest Service authorized by the Joint Committee on Printing, in accordance with the Act approved March 1, 1919 (44 U. S. C. 111, 220); and including not to exceed \$207,000 for printing and binding two hundred thirty-one thousand two hundred and fifty copies for the use of the Senate and House of Representatives of part 2 of the annual report of the Secretary (known as the Yearbook of Agriculture), as authorized by section 73 of the Act of January 12, 1895 (44 U. S. C. 241): *Provided*, That the Secretary may transfer to this appropriation from the appropriation made for "Conservation and Use of Agricultural Land Resources" such sums as may be necessary for printing and binding in connection with marketing quotas under the Agricultural Adjustment Act of 1938, from funds appropriated to carry into effect the purposes of the National School Lunch Act approved June 4, 1946 (Public Law 396), such sums as may be necessary for printing and binding in connection with the activities under said Act, and from funds appropriated to carry into effect the terms of section 32 of the Act of August 24, 1935 (7 U. S. C. 612c), as amended, such sums as may be necessary for printing and binding in connection with the activities under section 32: *Provided further*, That the total amount that may be transferred under the authority granted in the preceding proviso shall not exceed \$145,000.

#### LIBRARY, DEPARTMENT OF AGRICULTURE

For necessary expenses, including exchange of reference books, lawbooks, technical and scientific books, periodicals, and expenses incurred in completing imperfect series; not to exceed \$1,200 for newspapers; dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; \$660,000, of which not to exceed \$484,924 may be expended for personal services in the District of Columbia.

#### BUREAU OF AGRICULTURAL ECONOMICS

For necessary expenses, including not to exceed \$2,143,400 for personal services in the District of Columbia, including the salary of Chief of Bureau at \$10,000 per annum, and not to exceed \$1,000 for the purchase of books of reference, periodicals, and newspapers, as follows:

**Economic investigations:** For conducting investigations and for acquiring and diffusing useful information among the people of the United States, relative to agricultural production, distribution, land utilization, and conservation in their broadest aspects, including farm management and practice, utilization of farm and food products, purchasing of farm supplies, farm population and rural life, farm labor, farm finance, insurance and taxation, adjustments in production to probable demand for the different farm and food products; land ownership and values, costs, prices and income in their relation to agriculture, including causes for their variations and trends, \$2,000,000: *Provided*, That no part of the funds herein appropriated or made available to the Bureau of Agricultural Economics under the heading "Economic investigations" shall be used for State and county land-use planning, for conducting cultural surveys, or for the maintenance of regional offices.

Land-use planning.

**Crop and livestock estimates:** For collecting, compiling, abstracting, analyzing, summarizing, interpreting, and publishing data relating to agriculture, including crop and livestock estimates, acreage, yield, grades, staples of cotton, stocks, and value of farm crops and numbers, grades, and value of livestock and livestock products on farms, production, distribution, and consumption of turpentine and rosin pursuant to the Act of August 15, 1935 (5 U. S. C. 556b), and for the collection and publication of statistics of peanuts as provided by the Act approved June 24, 1936, as amended May 12, 1938 (7 U. S. C. 951-957), \$2,375,400: *Provided*, That no part of the funds herein appropriated shall be available for any expense incident to ascertaining, collating, or publishing a report stating the intention of farmers as to the acreage to be planted in cotton, or for estimates of apple production for other than the commercial crop.

49 Stat. 653.

49 Stat. 1898; 52 Stat. 348.  
Cotton and apple reports.

## OFFICE OF FOREIGN AGRICULTURAL RELATIONS

**Salaries and expenses:** For necessary expenses for the Office of Foreign Agricultural Relations and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including personal services in the District of Columbia and not to exceed \$500 for newspapers, \$503,000.

## INTERNATIONAL PRODUCTION CONTROL COMMITTEES

Not to exceed \$12,500 may be expended from the appropriations "Salaries and expenses, Agricultural Adjustment Administration" and "Sugar Act" for the share of the United States as a member of the International Wheat Advisory Committee, the International Sugar Council, or like events or bodies concerned with the reduction of agricultural surpluses or with other objectives of said appropriations, together with traveling and other necessary expenses relating thereto.

## EXTENSION SERVICE

### PAYMENTS TO STATES, HAWAII, ALASKA, AND PUERTO RICO

For payments to the States, Hawaii, Alaska, and Puerto Rico, for cooperative agricultural extension work as follows:

Cooperative agricultural extension work.

Capper-Ketcham, Bankhead-Jones, and related Acts: Capper-Ketcham Act, the Act approved May 22, 1928 (7 U. S. C. 343a, 343b), \$1,480,000; Bankhead-Jones Act, section 21, title II, of the

45 Stat. 711.

49 Stat. 438.  
59 Stat. 232.  
53 Stat. 589.  
45 Stat. 1256.  
49 Stat. 1554.  
50 Stat. 881.

Act approved June 29, 1935 (7 U. S. C. 343c), \$12,000,000; Bankhead-Jones Act, section 23, title II, of the Act approved June 29, 1935, as amended by the Act of June 6, 1945 (7 U. S. C. 343d-1), \$8,500,000; additional extension work, the Act approved April 24, 1939, as amended (7 U. S. C. 343c-1), \$555,000; Alaska, the Act approved February 23, 1929 (7 U. S. C. 386c), extending the benefits of the Smith-Lever Act to the Territory of Alaska, \$13,950, and section 3 of the Act approved June 20, 1936 (7 U. S. C. 343e), extending the benefits of the Capper-Ketcham Act to the Territory of Alaska, \$10,000, in all, for Alaska, \$23,950; Puerto Rico, the Act approved August 28, 1937 (7 U. S. C. 343f-343g), extending the benefits of section 21 of the Bankhead-Jones Act to Puerto Rico, \$274,000; in all, Capper-Ketcham, Bankhead-Jones, and related Acts, \$22,832,950.

#### SALARIES AND EXPENSES

38 Stat. 372.

Administration and coordination of extension work: For expenses necessary to administer the provisions of the Smith-Lever Act, approved May 8, 1914 (7 U. S. C. 341-348), and Acts amendatory or supplementary thereto, and to coordinate the extension work of the Department and the several States, Territories, and insular possessions, \$827,200, of which not to exceed \$663,100 may be expended for personal services in the District of Columbia.

### AGRICULTURAL RESEARCH ADMINISTRATION

#### OFFICE OF ADMINISTRATOR

Salaries and expenses: For necessary expenses of the Office of Administrator, including the salary of the Administrator at \$10,000 per annum, and personal services in the District of Columbia, and for the maintenance, operation, and furnishing of facilities and services at the Agricultural Research Center, \$481,500, and there shall be transferred to the Department, from Government surplus without reimbursement therefor, certain parcels of real property, valued at approximately \$9,750, within the boundaries of the Agricultural Research Center, Beltsville, Maryland, consisting of approximately eighty-eight acres of land known as the Paul Hense tract and approximately forty acres of land known as the Sampson tract: *Provided*, That the appropriation current at the time services are rendered may be reimbursed (by advance credits or reimbursements based on estimated or actual charges) from applicable appropriations, to cover the charges, including handling and other related services, for equipment rentals (including depreciation, maintenance, and repairs); for services, supplies, equipment and materials furnished, stores of which may be maintained at the Center, and for building construction, alteration, and repair performed by the Center in carrying out the purposes of such applicable appropriations and the applicable appropriations may also be charged their proportionate share of the necessary general expenses of the Center not covered by this appropriation: *Provided further*, That the several appropriations of the Agricultural Research Administration shall be available for the construction, alteration, and repair of buildings and improvements: *Provided, however*, That unless otherwise provided, the cost of constructing any one building (excepting headhouses connecting greenhouses) shall not exceed \$5,000, the total amount for construction of buildings costing more \$2,500 each shall be within the limits of the estimates submitted and approved therefor, and the cost of altering any one building during the fiscal year shall not exceed \$2,500 or 2 per centum of the cost of the building as certified by the Research Administrator, whichever is greater.

Transfer of lands.

Reimbursement.

Buildings and improvements.

Limitation.

## SPECIAL RESEARCH FUND, DEPARTMENT OF AGRICULTURE

For enabling the Secretary to carry into effect the Act approved June 29, 1935 (7 U. S. C. 427, 427b, 427c, 427f); for administration of the provisions of section 5 of the said Act, and for special research work, including the planning, programing, coordination, and printing the results of such research, to be conducted by such agencies of the Department as the Secretary may designate or establish, and to which he may make allotments from this fund, including personal services in the District of Columbia; \$1,203,000, of which amount \$785,200 shall be available for the maintenance and operation of research laboratories and facilities in the major agricultural regions provided for by section 4 of said Act.

49 Stat. 436, 437.  
7 U. S. C. § 427d.

49 Stat. 437.  
7 U. S. C. § 427c.

## RESEARCH ON STRATEGIC AND CRITICAL AGRICULTURAL MATERIALS

For expenses necessary to enable the Secretary to carry out his responsibilities under section 7 (b) of the Strategic and Critical Materials Stock Piling Act of July 23, 1946, in connection with natural rubber, including personal services in the District of Columbia, \$349,000; and there shall be transferred to the Secretary, from Government surplus without compensation therefor, real property consisting of approximately one hundred and seventy-three acres known as the Spence tract, one hundred and thirty-one acres of the Guidotti tract, forty acres of the Arguelo tract, and twenty-five acres of the Alisal industrial site (all located in the vicinity of Salinas, California), including improvements and laboratory facilities and equipment thereon, and personal property, valued in all (procurement cost) at approximately \$865,000.

60 Stat. 600.  
50 U. S. C. § 98f (b).

Transfer of lands.

## RESEARCH ON AGRICULTURAL PROBLEMS OF ALASKA

To enable the Secretary, through such officers and employees of the Department of Agriculture and the Territory of Alaska as he may designate, to establish and maintain a program for research into the basic agricultural needs and problems of the Territory of Alaska, \$144,940, including printing and binding, the employment of personal services in the District of Columbia, and the construction or acquisition of necessary buildings and facilities without regard to restrictions of existing law. In carrying out such program the Secretary is authorized to use such authorities as have heretofore been made available by the Legislature of the Territory of Alaska to the Agricultural Experiment Station of the University of Alaska, and by the laws of the United States, and to cooperate with the University of Alaska and with other public and private agencies. The provisions of this paragraph shall be effective from and after the date of the enactment hereof, until June 30, 1949, and the Secretary is authorized to take such steps and to issue such regulations as he may determine to effectuate the orderly discharge of his responsibilities hereunder. There are hereby transferred to the Secretary the use of such equipment and other facilities, buildings, and grounds of the Territorial agricultural experiment station, including its branches, as he may determine to be necessary, other than any land in general use heretofore for other university purposes, and the Secretary may to the extent deemed advisable continue the employment of the existing personnel of the station. Notwithstanding any other provision of law, including the laws of the Territory of Alaska, there are hereby transferred for the use of the Secretary any unexpended balances now available, and any moneys hereafter received for credit thereto, of all funds heretofore appropriated by the legislature or acquired under authority of law for the construction, use, and

Transfer of equipment and facilities.

Transfer of funds.

development of the Territorial agricultural experiment station, the availability of such funds to be unaffected by this transfer. The moneys so transferred shall be available for the settlement, in such manner as the Secretary shall direct, of obligations outstanding at the time of the transfer. The Secretary shall report annually to the Appropriations Committees of the Senate and of the House of Representatives respecting the status and progress of agricultural research in Alaska and the advisability of resumption by the Territory of the operation of the experiment station under the Land Grant College Acts.

Report to Congress.

#### OFFICE OF EXPERIMENT STATIONS

##### PAYMENTS TO STATES, HAWAII, AND PUERTO RICO

For payments to the States, Hawaii, and Puerto Rico to be paid quarterly in advance, to carry into effect the provisions of the following Acts relating to agricultural experiment stations:

Hatch, Adams, Purnell, Bankhead-Jones, and related Acts: Hatch Act, the Act approved March 2, 1887 (7 U. S. C., 362, 363, 365, 368, 377-379), \$720,000; Adams Act, the Act approved March 16, 1906 (7 U. S. C. 369), \$720,000; Purnell Act, the Act approved February 24, 1925 (7 U. S. C. 361, 366, 370, 371, 373-376, 380, 382), \$2,880,000; Bankhead-Jones Act, title I of the Act approved June 29, 1935 (7 U. S. C. 427-427g), \$2,661,268, none of which shall be available for Alaska; Hawaii, the Act approved May 16, 1928 (7 U. S. C. 386-386b), extending the benefits of certain Acts of Congress to the Territory of Hawaii, \$90,000; Puerto Rico, the Act approved March 4, 1931, as amended (7 U. S. C. 386d-386f), extending the benefits of certain Acts of Congress to Puerto Rico, \$90,000; in all, payments to States, Hawaii, and Puerto Rico, \$7,161,268.

24 Stat. 440.

34 Stat. 63.

43 Stat. 970.

49 Stat. 436.

45 Stat. 571.

46 Stat. 1520.

##### SALARIES AND EXPENSES

Administration of grants and coordination of research with States: For necessary expenses, including not to exceed \$197,525 for personal services in the District of Columbia, to enforce the provisions of the Acts approved March 2, 1887, March 16, 1906, February 24, 1925, May 16, 1928, March 4, 1931, and June 20, 1936, and Acts amendatory thereto (7 U. S. C. 361-363, 365-369, 370-383, 386, 386d-386f), relative to their administration and for the administration of an agricultural experiment station in Puerto Rico, \$211,000; and the Secretary shall prescribe the form of the annual financial statement required under the above Acts, ascertain whether the expenditures are in accordance with their provisions, coordinate the research work of the State agricultural colleges and experiment stations in the lines authorized in said Acts with research of the Department in similar lines, and make report thereon to Congress.

24 Stat. 440; 34 Stat. 63; 43 Stat. 970; 45 Stat. 571; 46 Stat. 1520; 49 Stat. 1553.

Federal Experiment Station, Puerto Rico: For expenses necessary to establish and maintain an agricultural experiment station in Puerto Rico, including the preparation, illustration, and distribution of reports and bulletins, \$114,700.

#### BUREAU OF ANIMAL INDUSTRY

##### SALARIES AND EXPENSES

For expenses necessary, including not to exceed \$1,059,000 for departmental personal services in the District of Columbia, for carrying out the provisions of the Act, as amended, establishing a Bureau

of Animal Industry, and related Acts, and for investigations concerned with the livestock and meat industries and the domestic raising of fur-bearing animals, as follows:

**Animal husbandry:** For investigations and experiments in animal husbandry and animal and poultry feeding and breeding, and for carrying out the purposes of section 101 (b) of the Organic Act of 1944 (7 U. S. C. 429) authorizing cooperation with State authorities in the administration of regulations for the improvement of poultry, poultry products, and hatcheries, \$1,305,500.

**Diseases of animals:** For scientific investigations of diseases of animals, and for investigations of tuberculin, serums, antitoxins, and analogous products, \$1,045,000.

**Eradicating tuberculosis and Bang's disease:** For the control and eradication of the diseases of tuberculosis and paratuberculosis of animals, avian tuberculosis, and Bang's disease of cattle, \$6,750,000: *Provided*, That no part of the money hereby appropriated shall be used in compensating owners of cattle except in cooperation with and supplementary to payments to be made by State, Territory, county, or municipality where condemnation of cattle shall take place, nor shall any payment be made hereunder as compensation for or on account of any such animal if at the time of inspection or test, or at the time of condemnation thereof, it shall belong to or be upon the premises of any person, firm, or corporation to which it has been sold, shipped, or delivered for the purpose of being slaughtered: *Provided further*, That out of the money hereby appropriated no payment as compensation for any cattle condemned for slaughter shall exceed one-third of the difference between the appraised value of such cattle and the value of the salvage thereof; that no payment hereunder shall exceed the amount paid or to be paid by the State, Territory, county, and municipality where the animal shall be condemned; and that in no case shall any payment hereunder be more than \$25 for any grade animal or more than \$50 for any purebred animal.

**Inspection and quarantine:** For inspection and quarantine work, including the control and eradication of hog cholera and related swine diseases, southern cattle ticks, scabies in sheep and cattle, and dourine in horses, the supervision of the transportation of livestock, the inspection of vessels, the execution of the twenty-eight-hour law, the inspection and quarantine of imported animals in accordance with the Act of August 30, 1890 (21 U. S. C. 102) and the Act of July 24, 1946 (Public Law 522), and the inspection work relative to the existence of contagious diseases, \$1,225,197.

**Meat inspection:** For carrying out the provisions of laws relating to Federal inspection of meat and meat-food products, \$5,000,000, for deposit in the Treasury of the United States as a working capital fund, without fiscal year limitation, to be designated as the "Meat inspection fund", which shall be available for all expenses necessary to furnish an adequate and efficient inspection or service, and hereafter every person, firm, public agency, or other organization furnished inspection or service under said laws, including inspection of meat and meat-food products offered for import or export and the inspection of horse meat and horse-meat products, shall pay the United States therefor in accordance with regulations prescribed by the Secretary of Agriculture and at rates and fees to be fixed by him, which payments, to be deposited in the meat-inspection fund, shall provide full reimbursement for the estimated cost attributable to the furnishing of such inspection or service, including scientific and technical investigations and laboratory services; investigations relating to violations of, and authorized exemptions under, the laws relating to Federal meat inspection; supervisory, administrative,

23 Stat. 31.  
7 U. S. C. §§ 391-394.

*Post*, p. 617.

58 Stat. 734.

Compensation of  
cattle owners, restric-  
tions.

Limitation on  
amount of payment.

26 Stat. 416.  
60 Stat. 633.  
21 U. S. C. § 133.

"Meat inspection  
fund."



59 Stat. 304.  
5 U. S. C. § 947.

58 Stat. 734.

Advance payment,  
etc.

Technical services  
to other agencies.

Schedule of obliga-  
tions, etc.

37 Stat. 832.

48 Stat. 38.  
7 U. S. C. § 612 (a).

49 Stat. 781.

statistical, business management, and other costs; personal services in the District of Columbia and elsewhere, without regard to section 607 of the Federal Employees' Pay Act of 1945, as amended; rent in the District of Columbia and elsewhere; purchase and hire of passenger motor vehicles; printing and binding, including the purchase of printed tags, labels, stamps, and certificates as authorized by the Act of September 21, 1944 (7 U. S. C., 431); and other necessary expenses: *Provided*, That the Secretary of Agriculture may require advance payment, posting of bonds, or other assurance of payment, in order to protect the interests of the United States, and may withhold or withdraw such inspection or service for nonpayment of charges or fees, or failure to provide the required assurance of payment: *Provided further*, That inspection or other technical services may be rendered to Government and other public agencies, upon request, under the terms and conditions herein provided: *Provided further*, That a schedule of obligations and reimbursements of the meat-inspection fund, as of the close of the last completed fiscal year, and as estimated for the current and ensuing fiscal years, shall be included in the Budget as submitted to Congress annually: *And provided further*, That payments shall be made for inspection or service rendered on and after July 1, 1947.

Virus Serum Toxin Act: For carrying out the provisions of the Act approved March 4, 1913 (21 U. S. C. 151-158), regulating the preparation, sale, barter, exchange, or shipment of any virus, serum, toxin, or analogous product manufactured in the United States and the importation of such products intended for use in the treatment of domestic animals, \$315,000.

Marketing agreements, hog cholera virus and serum: The sum of \$43,000 of the appropriation made by section 12 (a) of the Agricultural Adjustment Act, approved May 12, 1933, is hereby made available during the fiscal year for which appropriations are herein made to carry into effect sections 56 to 60, inclusive, of the Act approved August 24, 1935 (7 U. S. C. 851-855), including personal services in the District of Columbia.

#### ERADICATION OF FOOT-AND-MOUTH AND OTHER CONTAGIOUS DISEASES OF ANIMALS

*Ante*, pp. 7, 24, 245;  
*post*, p. 617.

Payment of claims.

Basis of appraise-  
ment.

For expenses necessary, including personal services in the District of Columbia, in the arrest and eradication of foot-and-mouth disease, rinderpest, contagious pleuropneumonia, or other contagious or infectious diseases of animals, or European fowl pest and similar diseases in poultry, including the payment of claims growing out of past and future purchases and destruction of animals (including poultry) affected by or exposed to, or of materials contaminated by or exposed to, any such disease, wherever found and irrespective of ownership, under like or substantially similar circumstances, when such owner has complied with all lawful quarantine regulations, \$100,000, together with such sums from other appropriations of the Department as the Secretary may deem necessary, to be available only in an emergency which threatens the livestock or poultry industry of the country: *Provided*, That the payment for such animals hereafter purchased may be made on appraisement based on the meat, egg-production, dairy, or breeding value, but in case of appraisement based on breeding value no appraisement of any such animal shall exceed three times its meat, egg-production, or dairy value, and, except in case of an extraordinary emergency, to be determined by

the Secretary, the payment by the United States Government for any such animals shall not exceed one-half of any such appraisements: *Provided further*, That poultry may be appraised in groups when the basis for appraisal is the same for each bird.

Group appraisal for poultry.

#### BUREAU OF DAIRY INDUSTRY

**Salaries and expenses:** For necessary expenses, including not to exceed \$540,912 for personal services in the District of Columbia, in carrying out the provisions of the Act of May 29, 1924 (7 U. S. C. 401-404), including investigations, experiments, and demonstrations in dairy industry, for carrying out the applicable provisions of the Act of May 9, 1902 (26 U. S. C. 2325, 2326 (c)), relating to process or renovated butter, as amended by the Act of June 24, 1946 (Public Law 427), and the Act of May 23, 1908 (21 U. S. C. 94 (a)), insofar as it relates to the exportation of process or renovated butter, \$1,011,000.

43 Stat. 243.

32 Stat. 196.

60 Stat. 300.

35 Stat. 254.

For repair of buildings, fence, electric line and feed bunk, recently damaged by tornado at the dairy field station, Woodward, Oklahoma, \$5,300.

#### BUREAU OF PLANT INDUSTRY, SOILS, AND AGRICULTURAL ENGINEERING

##### SALARIES AND EXPENSES

For expenses necessary for investigations, experiments, and demonstrations in connection with the production and improvement of farm crops and other plants and plant industries; soils and soil-plant relationships, and the application of engineering principles to agriculture; plant diseases, including nematodes, and methods for their prevention and control; plant and plant-disease collections and surveys; the distribution of weeds and means for their control; methods of handling, processing, transportation, and storage of agricultural products; and plants in foreign countries and our possessions for introduction into the United States, including explorations and surveys, and propagation and testing in this country; for the operation and maintenance of airplanes; and for personal services in the city of Washington, as follows:

Plant and soil investigations.

Airplanes.

**Field crops:** For investigations on the production, improvement, and diseases of alfalfa, barley, clover, corn, cotton, flax, grasses, oats, rice, rubber crops, sorghums, soybeans, sugar beets, sugarcane, tobacco, wheat, and other field crops, \$2,784,000.

**Fruit, vegetable, and specialty crops:** For investigations on the production, improvement, and diseases of fruit, vegetable, nut, ornamental, drug, condiment, oil, insecticide, and related crops and plants, \$2,445,000, and there shall be transferred to the Bureau of Plant Industry, Soils, and Agricultural Engineering, from Government surplus without compensation therefor, one sixty-five acre tract occupied by the United States Plant Introduction Garden under permit from the War Department and two adjacent small parcels of land, totaling in all approximately seventy-seven acres, situated at Chapman Field Military Reservation, Dade County, Florida, and valued (procurement cost) at approximately \$7,000.

Transfer of lands.

**Forest diseases:** For investigations of diseases of forest and shade trees and forest products, and methods for their control, \$379,280.

**Soils, fertilizers, and irrigation:** For investigations of soil management methods to increase and maintain productivity, including fertilization, liming, crop rotations, tillage practices, and other means of

improving soils; fertilizers, fertilizer ingredients, and their improvement for agricultural use; soil management and crop production on dry and irrigated lands, and the quality of irrigation water and its use by crops; and for the classification of soils in a national system and indication of their extent and distribution on maps, and determination of their potential productivity under adapted cropping and improved soil management; \$1,466,000.

Agricultural engineering: For investigations involving the application of engineering principles to agriculture, including farm power and equipment, rural water supply and sanitation, and rural electrification; farm buildings and their appurtenances and buildings for processing and storing farm products, and the preparation and distribution of building plans and specifications; cotton ginning, and other engineering problems relating to the production, processing, transportation, and storage of agricultural products; \$637,000.

44 Stat. 1422.

National Arboretum: For the maintenance and development of the National Arboretum established under the provisions of the Act approved March 4, 1927 (20 U. S. C. 191-194), including travel expenses of the advisory council, \$436,900, of which not to exceed \$350,000 shall be available for the acquisition of adjoining land, and not to exceed \$2,500 may be expended for employment pursuant to the second sentence of section 706 (a) of the Organic Act of 1944 (5 U. S. C. 574) as amended by section 15 of the Act of August 2, 1946 (Public Law 600).

58 Stat. 742.

60 Stat. 810.  
5 U. S. C. § 55a.

Southern Great Plains Field Station: For replacement and repair of buildings, equipment and supplies, utilities, fences and other general repairs and clean-up operations from damages due to the recent tornado at Woodward, Oklahoma, \$45,600.

#### BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

##### SALARIES AND EXPENSES

For expenses necessary for investigations, experiments, demonstrations, and surveys for the promotion of economic entomology, for investigating and ascertaining the best means of destroying insects and related pests injurious to agriculture, for importing useful and beneficial insects and bacterial, fungal, and other diseases of insects and related pests, for investigating and ascertaining the best means of destroying insects affecting man and animals, and the best ways of utilizing beneficial insects, for carrying into effect the provisions of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 151-167), the Honey Bee Act (7 U. S. C. 281-283), the Insect Pest Act (7 U. S. C. 141-144), the Mexican Border Act (7 U. S. C. 149) and the Organic Act of 1944 (7 U. S. C. 147a), authorizing the eradication, control, and prevention of spread of injurious insects and plant pests; including the operation and maintenance of airplanes and the purchase of not to exceed seven, and not to exceed \$745,350 for personal services in the District of Columbia, as follows:

37 Stat. 315.  
*Post*, p. 680.  
42 Stat. 833.  
33 Stat. 1269; 56  
Stat. 40.  
58 Stat. 735.

*Post*, p. 698.

Insect investigations: For the investigation of insects affecting fruits, grapes, nuts, trees, shrubs, forests and forest products, truck and garden crops, cereal, forage and range crops, cotton, tobacco, sugar plants, ornamental and other plants and agricultural products, household possessions, and man and animals; for bee culture and apiary management; for classifying, identifying, and collecting information to determine the distribution and abundance of insects; for investigations in connection with introduction of natural enemies of injurious insects and related pests and for the exchange with other countries of useful and beneficial insects and other arthropods; for

developing methods, equipment, and apparatus to aid in enforcing plant quarantines and in the eradication and control of insect pests and plant diseases; and for investigations of insecticides and fungicides, including methods of their manufacture and use and the effects of their application, \$2,961,300.

**Insect and plant disease control:** For carrying out operations or measures to eradicate, suppress, control, or to prevent or retard the spread of Japanese beetle, sweetpotato weevil, Mexican fruitflies, gypsy and brown-tail moths, Dutch elm disease, phony peach and peach mosaic, cereal rusts, and pink bollworm and *Thurberia weevil*, including the enforcement of quarantine regulations and cooperation with States to enforce plant quarantines as authorized by the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 151-167), and including the establishment of such cotton-free areas as may be necessary to stamp out any infestation of the pink bollworm as authorized by the Act of February 8, 1930 (46 Stat. 67), and for the enforcement of domestic plant quarantines through inspection in transit, including the interception and disposition of materials found to have been transported interstate in violation of Federal plant quarantine laws or regulations, and operations under the Terminal Inspection Act (7 U. S. C. 166), \$2,972,100: *Provided*, That no part of this appropriation shall be used to pay the cost or value of trees, farm animals, farm crops, or other property injured or destroyed: *Provided further*, That, in the discretion of the Secretary, no part of this appropriation shall be expended for the control of sweetpotato weevil in any State until such State has provided cooperation necessary to accomplish this purpose, or for barberry eradication until a sum or sums at least equal to such expenditures shall have been appropriated, subscribed, or contributed by States, counties, or local authorities, or by individuals or organizations for the accomplishment of this purpose: *Provided further*, That in the discretion of the Secretary, no expenditures from this appropriation shall be made for applying methods of control of the Dutch elm disease in any State where measures for the removal and destruction of trees on non-Federal lands suffering from the Dutch elm disease are not in force, provided such removal and destruction are deemed essential or appropriate for the carrying on of the control program, nor until a sum or sums at least equal to such expenditures shall have been appropriated, subscribed, or contributed by State, county, or local authorities, or by individuals, or organizations concerned: *Provided, however*, That expenditures incurred for removal of trees infected with Dutch elm disease from non-Federal lands shall not be considered a part of such appropriations, subscriptions, or contributions: *Provided further*, That no part of this appropriation shall be expended for the removal and destruction of trees infected with the Dutch elm disease except where such trees are located on property owned or controlled by the Government of the United States, or on property included within local experimental control areas.

**Foreign plant quarantines:** For operations against the introduction of insect pests or plant diseases into the United States, including the enforcement of foreign-plant quarantines and regulations promulgated under sections 5 and 7 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 151-167), the Insect Pest Act of 1905 (7 U. S. C. 141-144), and the Mexican Border Act of 1942 (7 U. S. C. 149), for enforcement of domestic-plant quarantines as they pertain to Territories of the United States and enforcement of regulations governing the movement of plants into and from the District of Columbia promulgated under section 15 of the Plant Quarantine Act

37 Stat. 315.  
Post, p. 680.  
Establishment of  
cotton-free areas.

Inspection in transit.

38 Stat. 1113.  
Restriction.

State, etc., cooperation.

Dutch elm disease,  
local requirements.

Removal and destruction of trees.

Restriction.  
Exception.

37 Stat. 316, 317.  
7 U. S. C. §§ 159,  
160.  
33 Stat. 1209.  
56 Stat. 40.

41 Stat. 726.  
7 U. S. C. § 167.

of August 20, 1912, as amended, and for inspection and certification of plants and plant products to meet the sanitary requirements of foreign countries, as authorized in section 102 of the Organic Act of 1944 (7 U. S. C. 147a), \$2,000,000.

58 Stat. 735.

#### CONTROL OF EMERGENCY OUTBREAKS OF INSECTS AND PLANT DISEASES

52 Stat. 344.

Cooperation with  
Canada.

For expenses necessary to carry out the provisions of the joint resolution approved May 9, 1938 (7 U. S. C. 148-148e), including the operation and maintenance of airplanes and the purchase of not to exceed three, and surveys and control operations in Canada in cooperation with the Canadian Government or local Canadian authorities, and the employment of Canadian citizens, \$2,050,000.

### BUREAU OF AGRICULTURAL AND INDUSTRIAL CHEMISTRY

#### SALARIES AND EXPENSES

For expenses necessary for investigations, experiments, and demonstrations hereinafter authorized, including not to exceed \$237,746 for personal services in the District of Columbia, as follows:

12 Stat. 387.

Transfer of real  
property.

Agricultural chemical investigations: For conducting the investigations contemplated by the Act of May 15, 1862 (5 U. S. C. 511, 512), relating to the application of chemistry to agriculture; for the biological, chemical, physical, microscopical, and technological investigation of foods, feeds, drugs, plant and animal products, and substances used in the manufacture thereof; for investigations of the physiological effects and for the pharmacological testing of such products and of insecticides; for the investigation and development of methods for the manufacture of sugars, sugar sirups, and starches and the utilization of new agricultural materials for such purposes; and for the technological investigation of the utilization of fruits and vegetables and for frozen pack investigations; \$511,500, and there shall be transferred to the Bureau of Agricultural and Industrial Chemistry, from Government surplus without compensation therefor, a certain parcel of real property of approximately one acre (consisting of lots 37 and 38 of Deal and Kreiser Subdivision, and lots 24 and 25 of tract 728 in the city of Pasadena, California), valued at approximately \$15,800.

Naval-stores investigations: For the investigation of naval stores (turpentine and rosin) and their components; the investigation and experimental demonstration of improved equipment, methods, or processes of preparing naval stores; and the weighing, storing, handling, transportation, and utilization of naval stores, \$152,550.

52 Stat. 37.

Storage building.

Regional research laboratories: For continuing the researches established under the provisions of section 202 (a) to 202 (e), inclusive, of title II of the Agricultural Adjustment Act of 1938 (7 U. S. C. 1292), including research on food products of farm commodities, \$5,000,000, including not to exceed \$30,000 for the construction of a commodity and equipment storage building at the Western Regional Research Laboratory located at Albany, California.

### BUREAU OF HUMAN NUTRITION AND HOME ECONOMICS

Salaries and expenses: For necessary expenses, including not to exceed \$305,000 for personal services in the District of Columbia, for conducting investigations of the relative utility and economy of agricultural products for food, clothing, and other uses in the home, with special suggestions of plans and methods for the more effective utilization of such products for these purposes, and such economic investigations, including housing and household buying, as have for their purpose the improvement of the rural home, and for disseminating useful information on this subject, \$800,000.

## WHITE PINE BLISTER RUST CONTROL

For expenses necessary to carry out the purposes of the Act approved April 26, 1940 (16 U. S. C. 594a), including personal services in the District of Columbia, \$3,750,000, of which amount \$582,000 shall be available to the Department of the Interior for control of white pine blister rust on or endangering Federal lands under the jurisdiction of that Department or lands of Indian tribes which are under the jurisdiction of or retained under restrictions of the United States; \$1,974,650 of said amount to the Forest Service for the control of white pine blister rust on or endangering lands under its jurisdiction; and \$1,193,350 of said amount to the Bureau of Entomology and Plant Quarantine for leadership and general coordination of the entire program, method development, and for operations conducted under its direction for such control, including, but not confined to, the control of white pine blister rust on or endangering State and privately owned lands.

54 Stat. 168.

Availability of funds for designated agencies.

## FOREST SERVICE

## SALARIES AND EXPENSES

For expenses necessary, including not to exceed \$1,083,378 for personal services in the District of Columbia, not to exceed \$10,000 for employment pursuant to the second sentence of section 706 (a) of the Organic Act of 1944 (5 U. S. C. 574), as amended by section 15 of the Act of August 2, 1946 (Public Law 600), and the replacement of one passenger motor vehicle in the District of Columbia; to experiment and make investigations and report on forestry, national forests, forest fires, and lumbering, but no part of this appropriation shall be used for any experiment or test made outside the jurisdiction of the United States; to advise the owners of woodlands as to the proper care of the same; to investigate and test American timber and timber trees and their uses, and methods for the preservative treatment of timber; to seek, through investigations and the planting of native and foreign species, suitable trees for the treeless regions; to erect necessary buildings: *Provided*, That the cost of any building purchased, erected, or as improved, exclusive of the cost of constructing a water-supply or sanitary system and of connecting the same with any such building, and exclusive of the cost of any tower upon which a lookout house may be erected, shall not exceed \$10,000, with the exception that any building erected, purchased, or acquired, the cost of which was \$10,000 or more, may be improved out of the appropriations made under this Act for the Forest Service by an amount not to exceed 2 per centum of the cost of such building as certified by the Secretary; to protect, administer, and improve the national forests, including tree planting and other measures to prevent erosion, drift, surface wash, soil waste, and the formation of floods, and to conserve water; to ascertain the natural conditions upon and utilize the national forests, to transport and care for fish and game supplied to stock the national forests or the waters therein; to collate, digest, report, and illustrate the results of experiments and investigations made by the Forest Service: *Provided*, That not to exceed \$50,000 of the appropriation for "National forest protection and management", and not to exceed \$50,000 of the appropriation for "Forest fire cooperation" may be transferred to the appropriation "Printing and binding, Department of Agriculture", for forest fire prevention posters and related printed material, as follows:

58 Stat. 742.

60 Stat. 810.

5 U. S. C. § 55a. Experiments and investigations.

Cost of buildings.

Protection, etc., of national forests.

Care of fish and game.

Transfer of funds.

General administrative expenses: For general administration, including the salary of the Chief Forester at \$10,000 per annum, and

36 Stat. 963.

for expenses of the National Forest Reservation Commission as authorized by section 14 of the Act of March 1, 1911 (16 U. S. C. 514), \$650,000.

Direct purchases.

Homestead lands.

34 Stat. 233; 37 Stat. 287, 842.

National forest protection and management: For the administration, protection, use, maintenance, improvement, and development of the national forests, including the establishment and maintenance of forest tree nurseries, including the procurement of tree seed and nursery stock by purchase, production, or otherwise, seeding and tree planting and the care of plantations and young growth; the operation and maintenance of aircraft and the purchase of not to exceed four; the maintenance of roads and trails and the construction and maintenance of all other improvements necessary for the proper and economical administration, protection, development, and use of the national forests, including experimental areas under Forest Service administration, except that where, in the opinion of the Secretary, direct purchases will be more economical than construction, improvements may be purchased; the construction (not to exceed \$10,000 for any one structure), equipment, and maintenance of sanitary and recreational facilities; control of destructive forest tree diseases and insects; timber cultural operations; development and application of fish and game management plans; propagation and transplanting of plants suitable for planting on semiarid portions of the national forests; estimating and appraising of timber and other resources and development and application of plans for their effective management, sale, and use; examination, classification, surveying, and appraisal of land incident to effecting exchanges authorized by law and of lands within the boundaries of the national forests that may be opened to homestead settlement and entry under the Act of June 11, 1906, and the Act of August 10, 1912 (16 U. S. C. 506-509), as provided by the Act of March 4, 1913 (16 U. S. C. 512); investigation and establishment of water rights, including the purchase thereof or of lands or interests in lands or rights-of-way for use and protection of water rights necessary or beneficial in connection with the administration and public use of the national forests; and all expenses necessary for the use, maintenance, improvement, protection, and general administration of the national forests, \$24,014,891, of which not to exceed \$25,000 shall be available for the purchase of one nursery site.

Fighting forest fires: For fighting and preventing forest fires on or threatening lands under Forest Service administration, including lands under contract for purchase or in process of condemnation for Forest Service purposes, \$100,000, which amount shall also be available for meeting obligations of the preceding fiscal year.

45 Stat. 699-702.

Forest research: For forest research in accordance with the provisions of sections 1, 2, 7, 8, 9, and 10 of the Act approved May 22, 1928, as amended (16 U. S. C. 581, 581a, 581f-581i), including the construction and maintenance of improvements, as follows:

16 U. S. C. § 581a.

16 U. S. C. § 581f.

16 U. S. C. § 581g.

Forest and range management investigations: Fire, silvicultural, watershed, and other forest investigations and experiments under said section 2, as amended, and investigations and experiments to develop improved methods of management of forest and other ranges under section 7, at forest or range experiment stations or elsewhere, \$2,475,000.

Forest products: Experiments, investigations, and tests of forest products under section 8, at the Forest Products Laboratory, or elsewhere, \$1,250,000, of which at least \$11,050 shall be expended for research in the utilization of waste woods.

16 U. S. C. §§ 581h, 581i.

Forest resources investigations: A comprehensive forest survey under section 9, and investigations in forest economics under section 10, \$822,000.

## FOREST-FIRE COOPERATION

For cooperation with the various States or other appropriate agencies in forest-fire prevention and suppression and the protection of timbered and cut-over lands in accordance with the provisions of sections 1, 2, and 3 of the Act approved June 7, 1924, as amended (16 U. S. C. 564-570), \$9,000,000, of which not to exceed \$76,125 shall be available for personal services in the District of Columbia.

43 Stat. 653.  
*Ante*, p. 449.

## FARM AND OTHER PRIVATE FORESTRY COOPERATION

To enable the Secretary through the Forest Service to advise timberland owners and associations, wood-using industries or other appropriate agencies in the application of forest management principles to federally owned lands leased to States and to private forest lands, so as to attain sustained-yield management, the conservation of the timber resources, the productivity of forest lands, and the stabilization of employment and economic continuance of forest industries, and to carry into effect, through such agencies of the Department as he may designate, the provisions of the Cooperative Farm Forestry Act, approved May 18, 1937 (16 U. S. C. 568b), (not to exceed \$660,034) and the provisions of sections 4 (not to exceed \$83,700) and 5 (not to exceed \$65,766) of the Act approved June 7, 1924 (16 U. S. C. 567-568), and Acts supplementary thereto; in all, not to exceed \$809,500, of which not to exceed \$54,636 may be expended for personal services in the District of Columbia; and not to exceed \$30,000 for the construction, alteration, or purchase of necessary buildings, and other improvements: *Provided*, That in carrying into effect the provisions of the Cooperative Farm Forestry Act, no part of this appropriation shall be used to establish new nurseries or to acquire land for the establishment of such new nurseries.

50 Stat. 188.

43 Stat. 654.

New nurseries.

## ACQUISITION OF LANDS FOR NATIONAL FORESTS

Under Week's Act: For the acquisition of forest lands under the provisions of the Act approved March 1, 1911, as amended (16 U. S. C. 513-519, 521), \$750,000, to be available only for payment toward the purchase price of any lands acquired, including the cost of surveys in connection with such acquisition.

36 Stat. 961.

Under special Acts: For the acquisition of land to facilitate the control of soil erosion and flood damage originating within the exterior boundaries of the following national forests, in accordance with the provisions of the following Acts authorizing annual appropriations of forest receipts for such purposes, and in not to exceed the following amounts from such receipts: Uinta and Wasatch National Forests, Utah, Act of August 26, 1935 (Public Law 337), as amended, \$40,000; Cache National Forest, Utah, Act of May 11, 1938 (Public Law 505), as amended, \$10,000; San Bernardino and Cleveland National Forests, Riverside County, California, Act of June 15, 1938 (Public Law 634), as amended, \$22,000; Nevada and Toiyabe National Forests, Nevada, Act of June 25, 1938 (Public Law 748), as amended, \$10,000; Angeles National Forest, California, Act of June 11, 1940 (Public Law 591), \$20,000; Cleveland National Forest, San Diego County, California, Act of June 11, 1940 (Public Law 589), \$5,000; Sequoia National Forest, California, Act of June 17, 1940 (Public Law 637), \$35,000; in all \$142,000.

49 Stat. 866.

52 Stat. 347.

52 Stat. 699.

52 Stat. 1205.

54 Stat. 299.

54 Stat. 297.

54 Stat. 402.

## FOREST ROADS AND TRAILS

For expenses necessary for carrying out the provisions of section 23 of the Federal Highway Act approved November 9, 1921, as amended (23 U. S. C. 23, 23a), and for the construction, reconstruction,

42 Stat. 218.

Experimental areas.



58 Stat. 838.  
23 U. S. C. §§ 60-63.

Buildings for stor-  
age of equipment.

and maintenance of roads and trails on experimental areas under Forest Service administration, (1) \$11,000,000 for forest development roads and trails, and (2) \$5,300,000 for forest highways, which sums are authorized to be appropriated by the Act of December 20, 1944 (Public Law 521), in all, \$16,300,000 (including not to exceed \$100,000 for personal services in the District of Columbia), to be immediately available and to remain available until expended: *Provided*, That this appropriation shall be available for the rental, purchase, construction, or alteration of buildings necessary for the storage and repair of equipment and supplies used for road and trail construction and maintenance, but the total cost of any such building purchased, altered, or constructed under this authorization shall not exceed \$10,000, with the exception that any building erected, purchased, or acquired, the cost of which was \$10,000 or more, may be improved within any fiscal year by an amount not to exceed 2 per centum of the cost of such buildings certified by the Secretary.

### FLOOD CONTROL

*Post*, p. 698.  
49 Stat. 1570.  
33 U. S. C. §§ 701a-  
701h.

Yazoo and Little  
Tallahatchie water-  
sheds.

Allocation of funds.

**Flood control:** For expenses necessary, in accordance with the Flood Control Act, approved June 22, 1936, as amended and supplemented, to make preliminary examinations and surveys, and to perform works of improvement, \$1,000,000, including personal services in the District of Columbia, to be immediately available and to remain available until expended, with which shall be merged the unexpended balances of funds heretofore appropriated or transferred to the Department for flood control purposes: *Provided*, That no part of such funds shall be used for the purchase of lands in the Yazoo and Little Tallahatchie watersheds without specific approval of the county board of supervisors of the county in which such lands are situated: *Provided further*, That allocations of funds for the fiscal years 1947 and 1948 for works of improvement on individual watersheds shall be in the respective amounts set forth in the Department's budget justifications to the House Appropriations Committee and shall not be decreased except as may be necessary by reason of a decrease in the estimates of available prior year balances: *Provided further*, That not less than \$500,000 of the funds hereby appropriated shall be allocated to the watersheds of the Upper Mississippi, Missouri, and Ohio Rivers and their tributaries.

### SOIL CONSERVATION SERVICE

49 Stat. 163.

Cost of buildings.

Construction on  
land not owned by  
Government.  
Central State agen-  
cy, Mo.

**For expenses necessary to carry out the provisions of the Act approved April 27, 1935 (16 U. S. C. 590a-590f), which provides for a national program of erosion control and soil and water conservation, including not to exceed \$856,750 for personal services in the District of Columbia, furnishing of subsistence to employees, operation and maintenance of aircraft, and the purchase and erection or alteration of permanent buildings:** *Provided*, That the cost of any building purchased, erected, or as improved, exclusive of the cost of constructing a water supply or sanitary system and connecting the same with any such building, shall not exceed \$2,500 except where buildings are acquired in conjunction with land being purchased for other purposes and except for eight buildings to be constructed at a cost not to exceed \$15,000 per building: *Provided further*, That no money appropriated in this Act shall be available for the construction of any such building on land not owned by the Government: *Provided further*, That in the State of Missouri where the State has established a central State agency authorized to enter

into agreements with the United States or any of its agencies on policies and general programs for the saving of its soil by the extension of Federal aid to any soil conservation district in such State, the agreements made by or on behalf of the United States with any such soil conservation district shall have the prior approval of such central State agency before they shall become effective as to such district, as follows:

Soil conservation research: For research and investigations into the character, cause, extent, history, and effects of erosion, soil and moisture depletion and methods of soil and water conservation (including the construction and hydrologic phases of farm irrigation and land drainage, and water regulation to conserve the soil and reduce fire hazards in the Everglades region of Florida, except that expenditures for all work in the Everglades region shall be limited to a sum not in excess of funds made available for such work by the State of Florida, or political subdivisions thereof); and for construction, operation, and maintenance of experimental watersheds, stations, laboratories, plots, and installations, \$1,048,000.

Everglades region,  
Fla.

Soil conservation operations: For carrying out preventive measures to conserve soil and water, including such special measures as may be necessary to prevent floods and the siltation of reservoirs, and including the improvement of farm irrigation and land drainage, the establishment and operation of conservation nurseries, the making of conservation plans and surveys, and the dissemination of information, \$38,000,000: *Provided*, That no part of this appropriation may be expended for soil and water conservation operations in demonstration projects.

Demonstration  
projects.

## LAND UTILIZATION AND RETIREMENT OF SUBMARGINAL LAND

For expenses necessary to carry out the provisions of title III of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (7 U. S. C. 1010-1012), and the provisions of the Act approved August 11, 1945 (Public Law 179, Seventy-ninth Congress), including personal services in the District of Columbia, \$1,600,000.

50 Stat. 525.

59 Stat. 532.  
7 U. S. C. § 1011  
note.

## PRODUCTION AND MARKETING ADMINISTRATION

### CONSERVATION AND USE OF AGRICULTURAL LAND RESOURCES

For expenses necessary to enable the Secretary to carry into effect the provisions of sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, approved February 29, 1936, as amended (16 U. S. C. 590g-590q), and the provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1281-1407) (except the provisions of sections 201, 202, 303, 381, and 383 and the provisions of titles IV and V), including personal services in the District of Columbia; not to exceed \$6,000 for the preparation and display of exhibits, including such displays at State, interstate, and international fairs within the United States; \$228,000,000, to remain available until December 31, 1948, for compliance with programs under said provisions of the Agricultural Adjustment Act of 1938, as amended, and the Act of February 29, 1936, as amended, pursuant to the provisions of the 1947 programs carried out during the period July 1, 1946, to December 31, 1947, inclusive: *Provided*, That not to exceed \$24,500,000 of the total sum provided under this head shall be available during the current fiscal year, for salaries and other administrative expenses for carrying out such programs, including

Soil conservation.

49 Stat. 1148.  
*Ante*, p. 494.

52 Stat. 31.  
*Ante*, p. 451; *post*, p. 721.  
52 Stat. 36 *et seq.*  
7 U. S. C. §§ 1291, 1292, 1303, 1381, 1383, 1401-1407, 1501-1518.  
*Post*, pp. 718, 719.

Administrative ex-  
penses.

52 Stat. 69.  
7 U. S. C. § 1392.  
Payments to claimants.

35 Stat. 1095.

50 U. S. C. app.  
§ 601 note.

Programs of soil-building practices, etc.

49 Stat. 1148; 52 Stat. 31.  
16 U. S. C. §§ 590g-590q; 7 U. S. C. §§ 1281-1518.  
*Ante*, pp. 494, 451.

49 Stat. 1150.  
16 U. S. C. § 590h  
(b).  
Transfer of funds.

Purchase of seeds, etc.

Payments to farmers inducted into armed forces.

49 Stat. 1148.  
16 U. S. C. §§ 590g-590q.  
*Ante*, p. 494.

the peanut-marketing quota program, the cost of aerial photographs, however, not to be charged to such limitation; but not more than \$7,080,813 shall be transferred to the appropriation account, "Administrative expenses, section 392, Agricultural Adjustment Act of 1938": *Provided further*, That payments to claimants hereunder may be made upon the certificate of the claimant, which certificate shall be in such form as the Secretary may prescribe, that he has carried out the conservation practice or practices and has complied with all other requirements as conditions for such payments and that the statements and information contained in the application for payment are correct and true, to the best of his knowledge and belief, under the penalties of the Act of March 4, 1909, as amended (18 U. S. C. 80): *Provided further*, That none of the funds herein appropriated or made available for the functions assigned to the Agricultural Adjustment Agency pursuant to the Executive Order Numbered 9069, of February 23, 1942, shall be used to pay the salaries or expenses of any regional information employees or any State or county information employees, but this shall not preclude the answering of inquiries or supplying of information to individual farmers: *Provided further*, That such amount shall be available for salaries and other administrative expenses in connection with the formulation and administration of the 1948 programs (amounting to \$150,000,000, including administration, and formulated on the basis of a distribution of the funds available for payments and grants among the several States in accordance with their conservation needs as determined by the Secretary: *Provided further*, That the proportion allocated to any State shall not be reduced more than 15 per centum from the 1946 distribution and that no participant shall receive more than \$500) of soil-building practices and soil- and water-conservation practices, under the Act of February 29, 1936, as amended, and programs under the Agricultural Adjustment Act of 1938, as amended; but the payments or grants under such program shall be conditioned upon the utilization of land with respect to which such payments or grants are to be made, in conformity with farming practices which will encourage and provide for soil-building and soil- and water-conserving practices in the most practical and effective manner and adapted to conditions in the several States, as determined and approved by the State committee appointed pursuant to section 8 (b) of the Soil Conservation and Domestic Allotment Act, as amended for the respective States: *Provided further*, That the Secretary may, in his discretion, from time to time transfer to the General Accounting Office such sums as may be necessary to pay administrative expenses of said Office in auditing payments under this item: *Provided further*, That such amounts shall be available for the purchase of seeds, fertilizers, lime, trees, or any other farming materials, or any soil-terracing services, and making grants thereof to agricultural producers to aid them in carrying out farming practices approved by the Secretary under programs provided for herein: *Provided further*, That the Secretary is authorized and directed to make payments to farmers who complied with the terms and conditions of the agricultural conservation programs, formulated pursuant to sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, if the Secretary determines that, because of induction into the armed forces of the United States, such farmers failed to file, or were prevented from filing, applications for payment under any such program during the period the applicable appropriation for such program was available for obligation, such payments to be made out of the unobligated balance of the appropriation, "Conservation and use of agricultural land resources", in the Department of Agriculture Appropriation Act,

1946: *Provided further*, That an application for payment on the prescribed form is filed by any such farmer (or the person entitled to payment in case of death, disappearance, or incompetency of the farmer under regulations issued pursuant to section 385 of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C., 1940 edition, 1385)) within one year from the date of his discharge from the armed forces, or by December 31, 1947, whichever is later: *And provided further*, That no part of any funds available to the Department, or any bureau, office, corporation, or other agency constituting a part of such Department shall be used in the current fiscal year for the payment of salary or travel expenses of any person who has been convicted of violating the Act entitled "An Act to prevent pernicious political activities", approved August 2, 1939, as amended, or who has been found in accordance with the provisions of section 6 of the Act of July 11, 1919 (18 U. S. C. 201), to have violated or attempted to violate such section which prohibits the use of Federal appropriations for the payment of personal services or other expenses designed to influence in any manner a Member of Congress to favor or oppose any legislation or appropriation by Congress except upon request of any Member or through the proper official channels.

59 Stat. 154.

52 Stat. 68.

Salary or travel expenses, restriction.

53 Stat. 1147.  
18 U. S. C. §§ 61-61w.

41 Stat. 68.

### SUGAR ACT

To enable the Secretary to carry into effect the provisions, other than those specifically relating to the Philippine Islands, of the Sugar Act of 1937, as amended (7 U. S. C. 1100-1183), including personal services in the District of Columbia, \$55,000,000, to remain available until June 30, 1949: *Provided*, That expenditures (including transfers) from this appropriation for other than payments to sugar producers shall not exceed \$1,326,115.

*Ante*, pp. 35, 245;  
*post*, pp. 618, 922, 932.

50 Stat. 903.

### MARKETING SERVICES

For expenses necessary, including not to exceed \$2,211,000 for personal services in the District of Columbia, in conducting investigations, experiments, and demonstrations, as follows:

Market news service: For collecting, publishing, and distributing, by telegraph, mail, or otherwise, timely information on the market supply and demand, commercial movement, location, disposition, quality, condition, and market prices of livestock, meats, fish, and animal products, dairy and poultry products (including broilers), fruits and vegetables, peanuts and their products, grain, hay, feeds, cottonseed, and seeds, and other agricultural products, \$1,566,250.

Market inspection of farm products: For the investigations and certification, in one or more jurisdictions, to shippers and other interested parties of the class, quality, and condition of any agricultural commodity or food product, whether raw, dried, canned, or otherwise processed, and any product containing an agricultural commodity or derivative thereof when offered for interstate shipment or when received at such important central markets as the Secretary may from time to time designate, or at points which may be conveniently reached therefrom under such rules and regulations as he may prescribe, including payment of such fees as will be reasonable and as nearly as may be to cover the cost for the service rendered, \$712,000.

Marketing farm products: For acquiring and diffusing among the people of the United States useful information relative to the needed supplies, standardization, classification, grading, preparation for market, handling, transportation, storage, and marketing of farm and food products, including the demonstration and promotion of the use of uniform standards of classification of American farm and food

- 55 Stat. 131. products throughout the world, for making analyses of cotton fiber as provided by the Act of April 7, 1941 (7 U. S. C. 473d), and for liquidating war food orders and coordinating nutrition services made available by Federal, State, and other agencies, including not to exceed \$10,000 for employment pursuant to the second sentence of section 706 (a), of the Organic Act of 1944 (5 U. S. C. 541b), as amended by section 15 of the Act of August 2, 1946 (Public Law 600), and not to exceed \$20,000 for transportation and other necessary expenses including not to exceed \$10 per diem of persons serving without compensation while away from their homes or regular places of business; printing and binding; and not to exceed \$150 for newspapers; \$1,000,000: *Provided*, That the Secretary may make available to any bureau, office, or agency of the Department such amounts from this appropriation as may be necessary to carry out the functions for which this appropriation is made, and any such amounts shall be in addition to amounts transferred or otherwise made available to appropriation items in this Act.
- 58 Stat. 742.  
5 U. S. C. § 574.  
60 Stat. 810.  
5 U. S. C. § 55a.
- Additional amounts.
- 49 Stat. 731. Tobacco Acts: To carry into effect the provisions of the Act to establish and promote the use of standards of classification for tobacco, to provide and maintain an official tobacco-inspection service, approved August 23, 1935 (7 U. S. C. 511-511q), the Act to provide for the collection and publication of statistics of tobacco by the Department, approved January 14, 1929 (7 U. S. C. 501-508), as amended, and the Act to prohibit the exportation of tobacco seed and plants, approved June 5, 1940 (7 U. S. C. 516), \$1,552,000.
- 45 Stat. 1079. Perishable Agricultural Commodities, Produce Agency, and Standard Container Acts: To carry into effect the provisions of the Perishable Agricultural Commodities Act, approved June 10, 1930, as amended (7 U. S. C. 499a-499r), and the Act to prevent the destruction or dumping of farm produce, approved March 3, 1927 (7 U. S. C. 491-497), the Standard Baskets Act, approved August 31, 1916, as amended (15 U. S. C. 251-256), and the Act to fix standards for hampers, round stave baskets, and splint baskets for fruit and vegetables, approved May 21, 1928 (15 U. S. C. 257-257i), \$294,000.
- 54 Stat. 231. Cotton Statistics, Classing, Standards and Futures Acts: To carry into effect the provisions of the Act authorizing the Secretary to collect and publish statistics of the grade and staple length of cotton, approved March 3, 1927, as amended by the Act of April 13, 1937 (7 U. S. C. 471-476), and to perform the duties imposed upon him by chapter 14 of the Internal Revenue Code relating to cotton futures (26 U. S. C. 1920-1935), and to carry into effect the provisions of the United States Cotton Standards Act, approved March 4, 1923, as amended (7 U. S. C. 51-65), \$1,399,000.
- 46 Stat. 531. United States Grain Standards Act: To carry into effect the provisions of the United States Grain Standards Act, \$1,128,000.
- 44 Stat. 1355.  
39 Stat. 673. United States Warehouse Act: To carry into effect the provisions of the United States Warehouse Act, \$585,000.
- 45 Stat. 685. Federal Seed Act: To carry into effect the provisions of the Act to regulate interstate and foreign commerce in seeds; to require labeling and to prevent misrepresentation of seeds in interstate commerce; and to require certain standards with respect to certain imported seeds, approved August 9, 1939, as amended (7 U. S. C. 1561-1610), \$152,500: *Provided*, That not to exceed \$250 of this amount may be used for meeting the share of the United States in the expenses of the International Seed Testing Congress.
- 44 Stat. 1372; 50 Stat. 62. Packers and Stockyards Act: To carry out the provisions of the Packers and Stockyards Act, approved August 15, 1921, as amended by the Act of August 14, 1935 (7 U. S. C. 181-229), \$528,000.
- 39 Stat. 482.  
7 U. S. C. §§ 71-87.
- 39 Stat. 486.  
7 U. S. C. §§ 241-273.
- 53 Stat. 1275.  
International Seed Testing Congress.
- 42 Stat. 159; 49 Stat. 648.

Naval Stores Act: To carry into effect the provisions of the Naval Stores Act of March 3, 1923 (7 U. S. C. 91-99), \$41,000.

Insecticide Act: To carry into effect the provisions of the Act of April 26, 1910 (7 U. S. C. 121-134), for preventing the manufacture, sale, or transportation of adulterated or misbranded paris greens, lead arsenates, other insecticides, and also fungicides, and for regulating traffic therein, \$293,500.

Freight rates for farm products: To carry out the provisions of section 201 (a) to 201 (d), inclusive, of title II of the Agricultural Adjustment Act of 1938 (7 U. S. C. 1291), \$138,000.

42 Stat. 1435.

Post, p. 618.

36 Stat. 331.

Ante, p. 172.

52 Stat. 36.

## COMMODITY EXCHANGE AUTHORITY

Commodity Exchange Act: To enable the Secretary to carry into effect the provisions of the Commodity Exchange Act, as amended (7 U. S. C. 1-17a), including not to exceed \$153,000 for personal services in the District of Columbia, \$530,000.

49 Stat. 1491.

Post, p. 941.

## FARMERS' HOME ADMINISTRATION

For expenses necessary, including personal services in the District of Columbia, to carry into effect the provisions of titles I, II, and the related provisions of title IV of the Bankhead-Jones Farm Tenant Act (7 U. S. C. 1000-1029), as amended, the Farmers' Home Administration Act of 1946 (Public Law 731), approved August 14, 1946, and Public Law 563, approved July 30, 1946, as follows:

Loans: Title I and section 43, \$15,000,000; title II, \$60,000,000.

Mortgage insurance fund: For the establishment of the farm tenant mortgage insurance fund pursuant to title I, \$1,000,000.

Salaries and expenses: For the making and servicing of new loans, insuring mortgages, the servicing and collecting of loans made under prior authority, and the liquidation of assets transferred to Farmers' Home Administration pursuant to the Farmers' Home Administration Act of 1946, \$21,000,000.

All rights, interests, obligations, and duties of the Reconstruction Finance Corporation arising out of loans made or authorized to be made to the Secretary of Agriculture for the purpose of making rural rehabilitation and farm tenancy loans in accordance with the Department of Agriculture Appropriation Act of 1947 and prior appropriations and loans under the Farmers Home Administration Act of 1946 are, as of the close of June 30, 1947, vested in the Secretary of the Treasury; the Reconstruction Finance Corporation is authorized and directed to transfer, as of the close of June 30, 1947, to the Secretary of the Treasury and the Secretary of the Treasury is authorized and directed to receive all loans outstanding on that date, plus accrued unpaid interest, theretofore made to the Secretary under the provisions of the Acts named above, and all notes and other evidences thereof and all obligations constituting the security therefor. The Secretary of the Treasury shall cancel notes of the Reconstruction Finance Corporation, and sums due and unpaid upon or in connection with such notes at the time of such cancellation, in an amount equal to the unpaid principal of the loans so transferred, plus accrued unpaid interest through June 30, 1947. Subsequent to June 30, 1947, the Reconstruction Finance Corporation shall make no further loans or advances to the Secretary and the Secretary of the Treasury is hereby authorized and directed, in lieu of the Reconstruction Finance Corporation, to lend or advance to the Secretary, in accordance with the provisions of the Acts referred to any unobligated or unadvanced balances of the sums which the Reconstruction Finance Corporation has theretofore been authorized and directed to lend to the Secretary. For the

50 Stat. 522, 524, 527.  
7 U. S. C. §§ 1000-1009, 1014-1029.

Ante, p. 493.

60 Stat. 1062, 711.

7 U. S. C. § 1001 note; 40 U. S. C. §§ 436-439.

Ante, p. 55.

50 Stat. 522, 530, 524.  
7 U. S. C. §§ 1001-1005, 1017, 1006-1009.

Supra.

60 Stat. 292.

Supra.

Transfer of loans,  
etc.Cancellation of  
notes.Loans, etc., subse-  
quent to June 30, 1947.

40 Stat. 288.  
31 U. S. C. § 774 (2).

purpose of making such loans or advances, the Secretary of the Treasury is authorized to use as a public-debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under that Act are extended to include such loans or advances to the Secretary of Agriculture. Repayments to the Secretary of Treasury on such loans or advances shall be treated as a public-debt transaction of the United States.

### WATER FACILITIES, ARID AND SEMIARID AREAS

50 Stat. 869.

To carry into effect the provisions of the Act to promote conservation in the arid and semiarid areas of the United States by aiding in the development of facilities for water storage and utilization, approved August 28, 1937, as amended (16 U. S. C. 590r-590x, 590z-5), \$1,750,000, of which not to exceed \$11,000 may be expended for personal services in the District of Columbia.

### RURAL ELECTRIFICATION ADMINISTRATION

49 Stat. 1363.  
*Infra.*

To carry into effect the provisions of the Rural Electrification Act of 1936, approved May 20, 1936, as amended (7 U. S. C. 901-915), as follows:

**Salaries and expenses:** For administrative expenses, including personal services in the District of Columbia; not to exceed \$500 for newspapers; and not to exceed \$500 for financial and credit reports, \$5,000,000.

49 Stat. 1364, 1365.  
7 U. S. C. §§ 903-905, 907.  
*Infra.*

**Loans:** For loans in accordance with sections 3, 4, and 5 of said Act, and for carrying out the provisions of section 7 thereof, \$225,000,000, to be borrowed from the Secretary of the Treasury in accordance with the provisions of section 3 (a) of said Act.

49 Stat. 1364.  
7 U. S. C. § 903  
(a), (f).

Sections 3 (a) and 3 (f) of the Rural Electrification Act of 1936, approved May 20, 1946, as amended (7 U. S. C. 901-915), are hereby amended to read as follows:

Loans to Administrator.

"SEC. 3. (a) The Secretary of the Treasury is hereby authorized and directed to make loans to the Administrator, upon the request and approval of the Secretary of Agriculture, in such amounts in the aggregate for each fiscal year commencing with the fiscal year ending June 30, 1948, as the Congress may from time to time determine to be necessary, either without interest or at such rate of interest per annum, not in excess of the rate provided for in sections 4 and 5 of this Act, as the Secretary of the Treasury may determine, upon the security of the obligations of borrowers from the Administrator appointed pursuant to the provisions of this Act or from the Administrator of the Rural Electrification Administration established by Executive Order Numbered 7037. Interest rates on the unpaid balance of any loans made by the Reconstruction Finance Corporation to the Administrator prior to July 1, 1947, shall be adjusted to the interest rate, if any, established for loans made after June 30, 1947, in accordance with the foregoing provision: *Provided*, That such obligations incurred for the purpose of financing the construction and operation of generating plants, electric transmission and distribution lines, or systems shall be fully amortized over a period not to exceed thirty-five years, and that the maturity of such obligations incurred for the purpose of financing the wiring of premises and the acquisition and installation of electrical and plumbing appliances and equipment shall not exceed two-thirds of the assured life thereof and not more than five years. The Administrator is hereby authorized to make all such endorsements, to execute all such instruments, and to do all

Amortization of designated obligations.

Authority of administrator.

such acts and things as shall be necessary to effect the valid transfer and assignment to the Secretary of the Treasury of all such obligations, and to execute such trust instruments as shall be agreed upon by the Administrator and the Secretary of the Treasury providing for the holding in trust by the Administrator of all such obligations for the Secretary of the Treasury as security for loans to the Administrator heretofore made by the Reconstruction Finance Corporation or made or to be made by the Secretary of the Treasury. All rights, interests, obligations, and duties of the Reconstruction Finance Corporation arising out of loans made or authorized to be made to the Administrator are, as of the close of June 30, 1947, vested in the Secretary of the Treasury; the Reconstruction Finance Corporation is authorized and directed to transfer, as of the close of June 30, 1947, to the Secretary of the Treasury and the Secretary of the Treasury is authorized and directed to receive all loans outstanding on that date, plus accrued unpaid interest, theretofore made to the Administrator under the provisions of this Act, and all notes and other evidences there of and all obligations constituting the security therefor. The Secretary of the Treasury shall cancel notes of the Reconstruction Finance Corporation, and sums due and unpaid upon or in connection with such notes at the time of such cancellation, in an amount equal to the unpaid principal of the loans so transferred, plus accrued unpaid interest through June 30, 1947. Subsequent to June 30, 1947, the Reconstruction Finance Corporation shall make no further loans or advances to the Administrator; and the Secretary of the Treasury is hereby authorized and directed, in lieu of the Reconstruction Finance Corporation, to lend or advance to the Administrator, in accordance with the provisions of this subsection 3 (a), any unobligated or unadvanced balances of the sums which the Reconstruction Finance Corporation has theretofore been authorized and directed to lend to the Administrator. For the purpose of making loans or advances pursuant to this section, the Secretary of the Treasury is authorized to use as a public-debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under that Act are extended to include such loans or advances to the Administrator. Repayments to the Secretary of the Treasury on such loans or advances shall be treated as a public-debt transaction of the United States.

"SEC. 3. (f) All money representing payments of principal and interest on loans made by the Administrator shall be paid to the Secretary of the Treasury in payment of loans made to the Administrator by the Reconstruction Finance Corporation or the Secretary of the Treasury; upon the payment of such loans all moneys representing payments of principal and interest on loans made by the Administrator shall be covered into the Treasury as miscellaneous receipts."

Rights, etc., of RFC.

Transfer of loans.

Cancellation of notes.

Loans, etc., subsequent to June 30, 1947.

40 Stat. 288.  
31 U. S. C. § 774 (2).

Payments of principal and interest.

## FARM CREDIT ADMINISTRATION

### SALARIES AND EXPENSES

For necessary expenses including personal services in the District of Columbia: printing and binding; not to exceed \$5,000 for attendance at meetings or conventions of members of organizations at which matters of importance to the work of the Farm Credit Administration are to be discussed or transacted; not to exceed \$750 for periodicals and newspapers; library membership fees or dues in organizations which issue publications to members only or to members at a lower price than to others, payment for which may be made in advance; not to exceed \$20,000 for expenditures authorized by section 602 of



58 Stat. 741.

the Organic Act of 1944 (12 U. S. C. 833); purchase of one passenger motor vehicle for use in the District of Columbia and elsewhere; garage rental in the District of Columbia; payment of actual transportation and other necessary expenses and not to exceed \$10 per diem in lieu of subsistence of persons serving, while away from their homes, without other compensation from the United States, in an advisory capacity to the Farm Credit Administration, except that such expenditures shall not exceed \$10,000; examination of corporations, banks, associations, and institutions operated, supervised, or regulated by the Farm Credit Administration; in all, \$561,000. Collections made pursuant to section 601 of the Organic Act of 1944 (12 U. S. C. 832), are hereby made available to reimburse this appropriation for the cost of examining and supervising the corporations, banks, associations, and other organizations as provided in said section.

58 Stat. 740.

### GENERAL PROVISIONS

Limitations respecting loans and advances.

SEC. 2. No funds appropriated or made available under this title shall be used to pay the compensation or expenses of any officer or employee of the Department or any bureau, office, agency, or service of the Department, or any corporation, institution, or association supervised thereby, who makes or approves, or directs or authorizes the approval of, any loan or advance by the Regional Agricultural Credit Corporation of Washington, District of Columbia, unless such loan or advance (1) is for the purpose of protecting the security for or assisting in the collection of a loan or advance theretofore made by the Corporation, or (2) is for use in and confined to a specific area or region in which the Secretary of Agriculture shall have found that such loans for specified agricultural purposes and for limited time periods are necessary because of economic emergencies or production disasters. All loans and advances made pursuant to this section will carry the full personal liability of the borrower, shall be secured by crops or livestock and such additional collateral as is deemed necessary to afford reasonable assurance of repayment, and will be accompanied by a certificate of refusal of the loan or advance by a local bank or the production credit association serving the area.

Liability of borrower, etc.

Passenger motor vehicles.

SEC. 3. Within the unit limit of cost fixed by law the lump-sum appropriations made for the Department under this title shall be available for the purchase of passenger motor vehicles, and for the hire of such vehicles, necessary in the conduct of the work of the Department outside the District of Columbia, but the number of such vehicles purchased or otherwise acquired for all the activities of the Department for which appropriations are made under such title shall not exceed the total number indicated for purchase by the Department under the statements of proposed expenditures for purchase and hire of passenger motor vehicles in the Budget.

Employment of aliens.

SEC. 4. Provisions of law prohibiting or restricting the employment of aliens shall not apply to (1) the temporary employment of translators when competent citizen translators are not available; (2) employment in cases of emergency of persons in the field service of the Department for periods of not more than sixty days; (3) employment under the appropriation for the Office of Foreign Agricultural Relations.

60 Stat. 903.  
5 U. S. C. § 160.

SEC. 5. Appropriations made in this title shall be available for health service programs as authorized by the Act of August 8, 1946 (Public Law 658).

SEC. 6. Appropriations and other funds available to the Department during the current fiscal year (except those appropriated or

authorized in title II of this Act for such fiscal year) shall be available for the payment of claims pursuant to part 2 of the Federal Tort Claims Act of August 2, 1946 (Public Law 601).

SEC. 7. No part of any appropriation contained in this title shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That such administrative or supervisory employees of the Department as may be designated for the purpose by the Secretary are hereby authorized to administer the oaths to persons making affidavits required by this section, and they shall charge no fee for so doing: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this title shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That nothing in this section shall be construed to require an affidavit from any person employed for less than sixty days for sudden emergency work involving the loss of human life or destruction of property, and payment of salary or wages may be made to such persons from applicable appropriations for services rendered in such emergency without execution of the affidavit contemplated by this section.

SEC. 8. Limitations on amounts to be expended for personal services under appropriations in this Act shall not apply to lump-sum leave payments pursuant to the Act of December 21, 1944 (Public Law 525): *Provided*, That in expending the appropriation herein for "Inspection and quarantine, Bureau of Animal Industry," service shall be maintained at all stockyards having such service during the last quarter of the fiscal year 1947.

SEC. 9. This Act may be cited as the "Department of Agriculture Appropriation Act, 1948".

## TITLE II—GOVERNMENT CORPORATIONS

SEC. 201. The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Federal Crop Insurance Corporation for the current fiscal year, namely:

Operating expenses: For operating and administrative expenses, \$5,000,000, including not to exceed \$700 for newspapers.

Subscriptions to capital stock, Federal Crop Insurance Corporation: To enable the Secretary of the Treasury to subscribe and pay for

*Infra.*

60 Stat. 843.  
28 U. S. C. §§ 921,  
922.

Persons engaging,  
etc., in strikes against  
or advocating over-  
throw of U. S. Gov-  
ernment.

Affidavit.

Administration of  
oaths.

Penalty.

Emergency work.

Lump-sum leave  
payments.

58 Stat. 845.  
5 U. S. C. §§ 61b-  
61e.

Short title.

*Post*, p. 574.

Federal Crop Insur-  
ance Corp.

52 Stat. 72.

capital stock of the Federal Crop Insurance Corporation, as provided in section 504 of the Federal Crop Insurance Act (7 U. S. C. 1504), \$10,000,000.

59 Stat. 598.  
31 U. S. C. § 849.  
*Post*, p. 584.

SEC. 202. The following corporations are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as may be necessary to carry out the programs set forth in the budget for the current fiscal year for each such corporation, except as hereinafter provided:

Administrative ex-  
penses.

Nonadministrative  
expenses.

Commodity Credit Corporation: Nothing in this Act shall be so construed as to prevent the Commodity Credit Corporation from carrying out any activity or any program authorized by law: *Provided*, That not to exceed \$8,450,000 shall be available for administrative expenses of the Corporation, including not to exceed \$400 for periodicals, maps, and newspapers, and not to exceed \$30,000 for penalty mail: *Provided further*, That all necessary expenses (including legal and special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belonging to the Corporation or in which it has an interest, including expenses of collections of pledged collateral, shall be considered as nonadministrative expenses for the purposes hereof.

Liquidation of con-  
tracts.

Insurance of wheat,  
flax, etc.

58 Stat. 918.  
7 U. S. C. § 1508 (a)  
(1), (2).  
*Post*, p. 718.

Federal Crop Insurance Corporation: *Provided*, That no part of the sums appropriated in section 201 of this title shall be used for any crop insurance operations other than the continuation of the trial crop insurance program, as authorized, and expenses necessary in the liquidation of insurance contracts on the 1947 and prior crops of wheat, cotton, and flax: *Provided further*, That none of the funds herein appropriated shall be used to insure any 1948 or subsequent crop except wheat in not to exceed six hundred and thirty-three counties and flax in not to exceed eighty-seven counties, in accordance with section 508 (a) (1) of the Federal Crop Insurance Act, as amended, and five additional crops in 1948 under the provisions of section 508 (a) (2) of said Act, as amended, including corn and tobacco in not to exceed fifty counties each and cotton in not to exceed fifty-six counties, unless otherwise provided by legislation.

*Post*, p. 533.

SEC. 203. The authorities, restrictions, and prohibitions specified under the head "General provisions" in the Government Corporations Appropriations Act, 1948, shall be applicable to title II of this Act.

### TITLE III—REDUCTION IN APPROPRIATION

*Ante*, p. 20.

#### EXPORTATION AND DOMESTIC CONSUMPTION OF AGRICULTURAL COMMODITIES

49 Stat. 774.

Notwithstanding any other provision of section 32, Public Law Numbered 320, Seventy-fourth Congress, approved August 24, 1935, as amended (7 U. S. C., 1940 edition, 612 (c)), not more than \$44,000,000 shall be available during the fiscal year ending June 30, 1948, for use in effectuating the purposes of that Act. To enable the Secretary to carry out the provisions of the National School Lunch Act of June 4, 1946 (Public Law 396), there is hereby made available \$65,000,000 of the funds appropriated for the fiscal year 1948 by section 32 of the Act approved August 24, 1935 (7 U. S. C. 612 (c)), such amount to be without regard to the 25 per centum limitation contained in said section 32, and to be exclusive of funds expended in accordance with the last

60 Stat. 230.  
42 U. S. C. §§ 1751-  
1760.  
49 Stat. 774.

sentence of section 9 of the National School Lunch Act: *Provided*, That no part of such funds shall be used for nonfood assistance under section 5 of said Act. The remainder of the fund appropriated by said Act for the fiscal year 1948 is hereby rescinded effective July 1, 1947, and shall be carried to the surplus fund and covered into the Treasury immediately thereafter.

Approved July 30, 1947.

[CHAPTER 357]

AN ACT

Making appropriations for the Military Establishment for the fiscal year ending June 30, 1948, and for other purposes.

60 Stat. 233.  
42 U. S. C. § 1758.

60 Stat. 231.  
42 U. S. C. § 1754.

July 30, 1947  
[H. R. 3678]  
[Public Law 257]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Military Establishment for the fiscal year ending June 30, 1948, and for other purposes, namely:

Military Appropriation Act, 1948.  
*Ante*, pp. 118, 187, 188, 245, 361; *post*, pp. 608, 609, 624, 625, 702.

MILITARY ACTIVITIES

OFFICE OF THE SECRETARY OF WAR

*Ante*, p. 507; *post*, p. 624.

CONTINGENCIES OF THE ARMY

For emergencies and extraordinary expenses arising in the War Department or any of its subordinate bureaus or offices in the District of Columbia, or in the Army at large, but impossible to be anticipated or classified, including personal services; the actual and necessary expenses or per diem in lieu thereof, as may be determined and approved by the Secretary of War, of military and civilian personnel in and under the Military Establishment on special duty in foreign countries; and for examination of estimates of appropriations and of military activities in the field, to be expended on the approval or authority of the Secretary of War, and for such purposes as he may deem proper, and his determination thereon shall be final and conclusive upon the accounting officers of the Government, and payments from this appropriation may, in the discretion of the Secretary of War, be made on his certificate that the expenditures were necessary for confidential military purposes; \$25,495,000.

Special duty in foreign countries.

GENERAL STAFF CORPS

FIELD EXERCISES

For expenses required for the conduct of special field exercises, including participation therein by the National Guard and the Organized Reserves, and including pay and travel of temporary employees and officers and enlisted men of the National Guard and the Organized Reserves, not otherwise provided for, allowances for enlisted men for quarters and rations, troop movements and travel of personnel of the Regular Army, in connection with special field exercises, including special combat training for small units, movement of matériel, maintenance and operation of structures and utilities, rental of land or purchase of options to rent land without reference to section 3648, Revised Statutes, use or repair of private property, and any other requisite supplies and services, and for settlement of claims resulting

Participation by National Guard, etc.

31 U. S. C. § 529.

57 Stat. 372.  
 31 U. S. C. §§ 215-  
 217 notes, 223b, 223c.  
 60 Stat. 842.  
 28 U. S. C. §§ 921, 922,  
 931-934, 941-945.  
*Post*, p. 722.

from such exercises, under the provisions of the Act of July 3, 1943 (31 U. S. C. 223b), as amended, and the Federal Tort Claims Act of August 2, 1946 (Public Law 601), \$9,000,000.

#### NATIONAL WAR COLLEGE

For expenses, not otherwise provided for, of the National War College, including the purchase of the necessary special stationery; textbooks, books of reference, scientific and professional papers; maps, police utensils; expenses of special lectures; contingencies for the Commandant of the National War College to be expended in his discretion (not exceeding \$1,000); purchase, repair, and cleaning of uniforms for guards; pay of employees; \$306,000.

#### COMMAND AND GENERAL STAFF COLLEGE

For the purchase of textbooks, books of reference, scientific and professional papers, instruments, and material for instruction; expenses of special lectures; and for other necessary expenses of instruction, at the Command and General Staff College, Fort Leavenworth, Kansas; \$450,000.

#### FINANCE DEPARTMENT

##### FINANCE SERVICE, ARMY

Reserve and Na-  
 tional Guard officers.

41 Stat. 776; 49 Stat.  
 391.  
 10 U. S. C. §§ 361,  
 364, 369; 32 U. S. C.  
 § 81c.

Repayment of  
 amounts erroneously  
 collected.

58 Stat. 800, 921.  
 31 U. S. C. § 95a;  
 50 U. S. C. app.  
 §§ 1705-1707.

58 Stat. 8.  
*Ante*, p. 192.

Aerial flights by  
 nonflying officers.

"Flying officer."

47 Stat. 406.

Pay of the Army: For pay and allowances of the Army of the United States, including pay of Reserve officers and officers of the National Guard of the United States ordered to active duty under the provisions of section 37a and the fourth paragraph of section 38 of the National Defense Act, as amended; pay of civilian employees at military headquarters; allowances for quarters for enlisted men on duty where public quarters are not available; interest on soldiers' deposits; payment of life insurance premiums authorized by law; payment of exchange fees and exchange losses incurred by disbursing officers or their agents; repayment of amounts determined by the Secretary of War, or officers designated by him, to have been erroneously collected from military and civilian personnel in and under the Military Establishment; and losses in the accounts of Army disbursing officers in accordance with the Acts of December 13, 1944 (31 U. S. C. 95a) and December 23, 1944 (50 U. S. C. 1705-1707); \$2,388,286,700, which shall also be available to pay mustering-out payments, as authorized by the "Mustering-Out Payment Act of 1944", as amended (38 U. S. C. 691-691g), to persons who were or may be denied such payments because they were discharged from the Army to enter the United States Military Academy or the United States Naval Academy and subsequently were discharged from either academy because of physical disability: *Provided*, That the appropriations contained in this Act shall not be available for increased pay for making aerial flights by nonflying officers at a rate in excess of \$720 per annum, which shall be the legal maximum rate as to such officers, and such nonflying officers shall be entitled to such rate of increase by performing three or more flights within each ninety-day period, pursuant to orders of competent authority, without regard to the duration of such flight or flights: *Provided further*, That, during the continuance of the present war and for six months after the termination thereof, a flying officer as defined under existing law shall include flight surgeons, and commissioned officers or warrant officers while undergoing flying training: *Provided further*, That section 212 of the Act of June 30, 1932 (5 U. S. C. 59a), shall not apply to retired

military personnel on duty at the United States Soldiers' Home: *Provided further*, That during the fiscal year ending June 30, 1948, no officer of the Army shall be entitled to receive an addition to his pay in consequence of the provisions of the Act approved May 11, 1908 (10 U. S. C. 803): *Provided further*, That provisions of law prohibiting the payment of any person not a citizen of the United States shall not apply to military and civilian personnel in and under the Military Establishment: *Provided further*, That without deposit to the credit of the Treasurer of the United States and withdrawal on money requisitions, receipts of public moneys from sales or other sources by officers of the Army on disbursing duty and charged in their official accounts, except receipts to be credited to river and harbor and flood-control appropriations, may be used by them as required for current expenditures, all necessary bookkeeping adjustments of appropriations, funds, and accounts to be made in the settlement of their disbursing accounts: *Provided further*, That no collection or reclamation shall be made by the United States on account of any money paid to assignees, transferees, or allottees, or to others for them, under assignments, transfers, or allotments of pay and allowances made under authority of law where liability might exist with respect to such assignments, transfers, or allotments, or the use of such moneys, because of the death of the assignor, transferor, or allotter.

Appropriations available to the Military Establishment for the fiscal year 1948 shall be available for reimbursement to such appropriations of the Naval Establishment as may be designated by the Secretary of the Navy, for the pay, allowances, and other expenses as authorized by law, for such number of naval dental officers as may be authorized by the President to perform service with the Military Establishment: *Provided*, That such military and naval personnel, as may be detailed for duty with other than the War and Navy Departments, respectively, on a reimbursement basis may be employed in addition to the numbers otherwise authorized and appropriated for.

No payment shall be made from money appropriated in this Act to any officer on the retired list of the Army who, for himself or for others, is engaged in the selling of, contracting for the sale of, or negotiating for the sale of, to the Army or the War Department, any war materials or supplies.

No appropriation for the pay of the Army shall be available for the pay of any officer or enlisted man on the active list of the Army who is engaged in any manner with any publication which is or may be issued by or for any branch or organization of the Army or military association in which officers or enlisted men have membership and which carries paid advertising of firms doing business with the War Department: *Provided, however*, That nothing herein contained shall be construed to prohibit officers from writing or disseminating articles in accordance with regulations issued by the Secretary of War;

**Travel of the Army:** For travel allowances and travel in kind, as authorized by law, for persons traveling in connection with the military activities of the War Department, including mileage, transportation, reimbursement of actual expenses, or per diem allowances, to officers, contract surgeons, and others whose rank, pay and allowances are assimilated to officers; the cost of a compartment or such other accommodations as may be authorized by the Secretary of War for security purposes when secret documents are transported by officer messenger, or when valuable War Department property is transported as hand baggage by personnel of the Military Establishment; transportation of troops; transportation, or reimbursement therefor, of

Officer owning mount.

35 Stat. 108.  
10 U. S. C. § 803  
note.  
Citizenship.

Use of receipts from sales, etc.

Restriction on reclamation of certain payments.

Naval dental officers.

Retired officers engaged in selling supplies to Army.

Officers, etc., engaged with certain service publications.

Travel charges  
against other appro-  
priations.

Attendance at meet-  
ings.

39 Stat. 199.  
32 U. S. C. §§ 21, 22,  
49.

Personnel traveling  
under orders.

Personnel outside  
U. S.  
Moving of depend-  
ents and effects.

cadets, enrolled members of the Medical Department, enlisted men, recruits, recruiting parties, applicants for enlistment between places of acceptance for enlistment and recruiting stations, rejected applicants for enlistment, general prisoners, cadets and accepted cadets from their homes to the Military Academy, discharged cadets, civilian employees, civilian witnesses before courts martial, and dependents of civilian and military personnel; travel pay to discharged military personnel; transportation of discharged prisoners and persons discharged from Saint Elizabeths Hospital after transfer thereto from the military service, to their homes, or elsewhere as they may elect, the cost in each case not to be greater than to the place of last enlistment; transportation of persons discharged other than honorably; monetary allowances for liquid coffee for troops traveling when supplied with cooked or travel rations; commutation of quarters and rations to enlisted men traveling on detached duty when it is impracticable to carry rations, and to applicants for enlistment and general prisoners traveling under orders; per diem allowances or actual cost of subsistence while in a travel status, to civilian employees and civilian witnesses before courts martial; for rental of camp sites and the local procurement of communication service, fuel, light, water service, and other necessary supplies and services incident to individual or troop movements, including transportation of organizational equipment and impedimenta; and for transportation of authorized baggage of military and civilian personnel, including packing and unpacking; \$135,000,000: *Provided*, That other appropriations for the Military Establishment shall be charged with such amounts as may be required for travel in connection with development, procurement, production, maintenance, or construction activities; and, with such exception, no other appropriation in this Act shall be available for any expense for or incident to travel of personnel of the Regular Army or civilian employees under the War Department, except the appropriation "Contingencies of the Army" and the appropriations for Engineer Service, Army, the National Guard, the Organized Reserves, the Reserve Officers' Training Corps, and the National Board for the Promotion of Rifle Practice, and except as may be provided for in the appropriations "Special Field Exercises", "Inter-American Relations, War Department", and "Air Corps, Army": *Provided further*, That, in addition to the authority contained in section 67, National Defense Act of June 3, 1916, as amended, a total of not to exceed \$75,000 of the appropriations available to the War Department chargeable with expenses of travel shall be available for expenses incident to attendance at meetings of technical, professional, scientific, and other similar organizations, when, in the judgment of the Secretary of war, such attendance would be of benefit in the conduct of the work of the War Department: *Provided further*, That appropriations available for travel of personnel of the Military Establishment or employees under the War Department which are current at the date of relief from duty station of such personnel traveling under orders shall be charged with all expenses properly chargeable to such appropriations in connection with the travel enjoined including travel of dependents and transportation of authorized baggage and household effects of such personnel, regardless of the dates of arrival at destination of the persons so traveling;

During the fiscal year 1948 the dependents and household effects of such military and civilian personnel (without regard to rank or grade) in and under the Military Establishment on duty at stations outside the continental limits of the United States, or in Alaska, as may be determined upon by the Secretary of War, may, prior or subsequent to the issuance of orders for the relief of such personnel from their

stations, or subsequent to the discharge or release of such military personnel from active military service, be moved (including packing and unpacking of household effects) from such stations outside the continental limits of the United States, or in Alaska, to such locations as may be designated by such personnel, by the use of either Government or commercial means of transportation, and later from such locations to the duty stations to which such personnel may be ordered, and current appropriations of the Military Establishment available for travel and transportation may be used for this purpose, the decision of the Secretary of War to be final as to the dependency of any individual sought to be affected by this provision except as to travel performed subsequent to arrival in the United States;

**Expenses of courts martial:** For expenses of courts martial, courts of inquiry, military commissions, retiring boards, and compensation of reporters and witnesses attending same, contract stenographic reporting services, and expenses of taking depositions and securing other evidence for use before the same, \$150,000;

**Apprehension of deserters:** For the apprehension, securing, and delivering of soldiers absent without leave and of deserters, including escaped military prisoners, and the expenses incident to their pursuit; and no greater sum than \$25 for each deserter or escaped military prisoner shall, in the discretion of the Secretary of War, be paid to any civil officer or citizen for such services and expenses; for expenses incident to confinement of military prisoners in nonmilitary facilities; for a donation of \$10 to each prisoner discharged otherwise than honorably upon his release from confinement under court-martial sentence involving dishonorable discharge; and for a donation of not to exceed \$10 to each person discharged for fraudulent enlistment as authorized by law, \$100,000;

**Finance service:** For compensation of clerks and other employees of the Finance Department, \$21,469,000;

**Claims for damage to or loss or destruction of property, or personal injury, or death:** For payment of claims under the Act approved July 3, 1943 (31 U. S. C. 223b), as amended, and the Federal Tort Claims Act of August 2, 1946 (Public Law 601), not otherwise provided for, \$2,750,000;

**Claims of military and civilian personnel of the War Department for destruction of private property:** For the payment of claims for private property lost, destroyed, captured, abandoned, or damaged in the military service of the United States, under the provisions of the Military Personnel Claims Act of 1945, \$2,000,000;

In all, Finance Service, Army, \$2,549,755,700, to be accounted for as one fund.

## QUARTERMASTER CORPS

### QUARTERMASTER SERVICE, ARMY

**Welfare of enlisted men:** For the equipment and conduct of school, reading, lunch, and amusement rooms, service clubs, chapels, gymnasiums, and libraries, including periodicals and other publications and subscriptions for newspapers, transportation of books and equipment for these services, rental of films, purchase of slides for and making repairs to moving-picture outfits, and for similar and other recreational purposes at training and mobilization camps now established or which may be hereafter established, including expenses for the entertainment and instruction of enlisted personnel, \$7,170,500: *Provided*, That this appropriation shall be available for the instruction of officers on the same basis as enlisted men: *Provided further*,

Claims.

57 Stat. 372.  
31 U. S. C. §§ 215-  
217 notes, 223b, 223c.  
60 Stat. 842.  
28 U. S. C. §§ 921,  
922, 931-934, 941-945.  
*Post*, p. 722.

59 Stat. 225.  
31 U. S. C. §§ 222e,  
222d, 223b.

Recreational facilities, etc.

Instruction of officers.



Painting, etc., of  
war scenes or por-  
traits.

That no appropriation contained in this Act shall be available for payment to or expenditure on account of any civilian personnel employed outside continental United States to paint or otherwise reproduce war scenes except by means of photography, or to paint portraits, or for payment to or expenditure on account of any military personnel within continental United States who engage in decorative art projects or painting portraits to the exclusion of regular military duties;

Purchase of sub-  
sistence supplies.

Subsistence of the Army: For purchase of subsistence supplies for issue as rations to troops, including retired enlisted men when ordered to active duty, civil employees when entitled thereto, hospital matrons, applicants for enlistment while held under observation, general prisoners of war, and general prisoners at posts; ice for issue to organizations of enlisted men and for cooling drinking water at such places as the Secretary of War may determine, and for preservation of stores; subsistence of the masters, officers, crews, and employees of the vessels of the Army Transport Service; meals for recruiting parties and applicants for enlistment while under observation; sales to officers, including members of the Officers' Reserve Corps while on active duty, and enlisted men of the Army; payment of the regulation allowances of commutation in lieu of rations to enlisted men on furlough and to enlisted men when stationed at places where rations in kind cannot be economically issued, including retired enlisted men when ordered to active duty; payment of the regulation allowance of commutation in lieu of rations for enlisted men, applicants for enlistment while held under observation, civilian employees who are entitled to subsistence at public expense, and general prisoners while sick in hospitals, to be paid to the surgeon in charge; advertising; for subsistence of supernumeraries necessitated by emergent military circumstances; prizes to be established by the Secretary of War for enlisted men of the Army who graduate from the Army schools for bakers and cooks; and for other necessary expenses incident to the purchase, testing, care, preservation, issue, sale, and accounting for subsistence supplies for the Army; in all, \$376,551,000: *Provided*, That none of the money appropriated in this Act shall be used for the purchase of oleomargarine or butter substitutes for other than cooking purposes, except to supply an expressed preference therefor or for use where climatic or other conditions render the use of butter impracticable: *Provided further*, That no part of this or any other appropriation contained in this Act shall be available for the procurement of any article of food or clothing not grown or produced in the United States or its possessions, except to the extent that the Secretary of War shall determine that articles of food or clothing grown or produced in the United States or its possessions cannot be procured of satisfactory quality and in sufficient quantities and at reasonable prices as and when needed, and except procurements by vessels in foreign waters and by establishments located outside the continental United States, except the Territories of Hawaii and Alaska, for the personnel attached thereto: *Provided further*, That none of the funds appropriated in this Act shall be used for the payment of any subsidy on agricultural or other products;

Army Transport  
Service.

Sales to officers, etc.

Allowances.

Prizes.

Butter substitutes.

Procurement of  
food or clothing not  
produced in U. S.

Payment of sub-  
sidies.

Regular supplies of the Army: For supplies, services, and other expenses, not otherwise provided for, incident to the design, development, procurement, manufacture, care, protection, alteration, repair, maintenance, installation, storage, and issue of Quartermaster Corps supplies, materials, and equipment (exclusive of fixed installations in buildings otherwise provided for), including petroleum and other products, market reports and personal services; for supplies and

equipment for troops and general service schools; for operation of field printing plants not otherwise provided for and contract printing and binding; for subsistence and care of riding and draft animals, for remounts, and for the authorized number of officers' mounts; for straw for soldiers' bedding; for expenses incident to raising and harvesting forage on military reservations, including, when specifically authorized by the Secretary of War, the cost of irrigation; \$78,559,860;

Clothing and equipage: For cloth, woolens, materials, and for the purchase and manufacture of clothing for the Army, including retired enlisted men when ordered to active duty, for issue and for sale; for payment of commutation of clothing due to warrant officers of the mine-planter service and to enlisted men; for altering and fitting clothing and washing and cleaning when necessary, including laundry work for enlisted men while patients in a hospital; for operation of laundries, existing or now under construction, including purchase and repair of laundry machinery therefor; for the authorized issues of laundry materials for use of general prisoners confined at military posts without pay or allowances, and for applicants for enlistment while held under observation; for equipment and repair of equipment of existing dry-cleaning plants, salvage and sorting storehouses, hat-repairing shops, shoe-repair shops, clothing-repair shops, and garbage-reduction works; for equipage, including animal-drawn passenger-carrying vehicles, authorized issues of toilet articles, barbers' and tailors' material, for use of general prisoners confined at military posts without pay or allowances and applicants for enlistment while held under observation; issue of toilet kits to recruits upon their first enlistment; for expenses of packing and handling and similar necessities; for a suit of citizens' outer clothing and when necessary an overcoat, the cost of all not to exceed \$30, to be issued each soldier discharged otherwise than honorably, to each enlisted man convicted by civil court for an offense resulting in confinement in a penitentiary or other civil prison, and to each enlisted man ordered interned by reason of the fact that he is an alien enemy, or, for the same reason, discharged without internment; for indemnity to officers and men of the Army for clothing and bedding, and so forth, destroyed since April 22, 1898, by order of medical officers of the Army for sanitary reasons; \$154,032,900;

Incidental expenses of the Army: Postage; hire of laborers in the Quartermaster Corps, including the care of officers' mounts when the same are furnished by the Government; compensation of clerks and other employees of the Quartermaster Corps, and clerks, foremen, watchmen, and organist for the United States Disciplinary Barracks; incidental expenses of recruiting; for activities of chaplains (excluding ritual garments and personal services); for the operation of coffee-roasting plants; for maintenance of Quartermaster branch depots, including utilities; for tests and experimental and development work and scientific research, not otherwise provided for, including that to be performed by the Bureau of Standards for the Quartermaster Corps; for inspection service and instruction furnished by the Department of Agriculture which may be transferred in advance; for such additional expenditures as are necessary and authorized by law in the movements and operation of the Army and at military posts, and not expressly assigned to any other departments; for supplies, services, and other expenses essential in conducting instruction of the Army in tactical or special activities and in the operation of Arm and Service Boards not otherwise provided for; for burial of the dead as authorized by Acts of May 17, 1938 (10 U. S. C. 916-916d), and July 8, 1940 (5 U. S. C. 103a), including remains of personnel of the Army of the United States who die while

Tests, research, etc.

Burial expenses.  
52 Stat. 398.  
54 Stat. 743.

*Post*, p. 702.

on active duty, including travel allowances of attendants accompanying remains, communication service, transportation of remains, and acquisition by lease or otherwise of temporary burial sites; \$83,299,300;

Horses, draft and pack animals: For the purchase of draft and pack animals and horses within limits as to age, sex, and size to be prescribed by the Secretary of War for remounts for officers entitled to public mounts, for the United States Military Academy, and for such organizations and members of the military service as may be required to be mounted, and for expenses incident to such purchases, \$33,400;

In all, Quartermaster Service, Army, \$699,646,960, to be disbursed and accounted for as one fund.

## TRANSPORTATION CORPS

### TRANSPORTATION SERVICE, ARMY

56 Stat. 214.

Charges against  
other appropri-  
ations.

Transfer of vessels.

For expenses necessary for the transportation of Army supplies, equipment, funds of the Army, including packing, crating, and unpacking; maintenance and operation of transportation facilities and installations, including the purchase, construction, alteration, operation, lease, repair, development, and maintenance of and research in transportation equipment, including boats, vessels, motor-propelled passenger-carrying vehicles and railroad equipment; personal services in the District of Columbia; procurement of supplies and equipment; printing and binding; communication service; maps; wharfage, tolls, ferriage, drayage and cartage; premiums and indemnification for risks insured pursuant to the Act of April 11, 1942 (46 U. S. C. 1128-1128g); conducting instruction in Army transportation activities; transportation on Army vessels of privately owned automobiles of Army personnel upon change of station; \$374,055,100: *Provided*, That during the fiscal year 1948 the cost of transportation from point of origin to the first point of storage or consumption of supplies, equipment, and material in connection with the manufacturing and purchasing activities of the Quartermaster Corps may be charged to the appropriations from which such supplies, equipment, and material are procured: *Provided further*, That vessels under the jurisdiction of the Maritime Commission, the War Department, or the Navy Department, may be transferred or otherwise made available without reimbursement to any of such agencies upon the request of the head of one agency and the approval of the agency having jurisdiction of the vessels concerned.

## SIGNAL CORPS

### SIGNAL SERVICE OF THE ARMY

Telegraph, etc., sys-  
tems.

Vehicles.

Telephone appara-  
tus.

Purchase, equipment, operation, and repair of military telegraph, telephone, radio, cable, and signaling systems; signal equipment and stores, heliographs, signal lanterns, flags, and other necessary instruments; wind vanes; barometers, anemometers, thermometers, and other meteorological instruments; photographic and cinematographic work performed for the Army by the Signal Corps; motorcycles, motor-driven and other vehicles for technical and official purposes in connection with the construction, operation, and maintenance of communication or signaling systems, and supplies for their operation and maintenance; maps for use of the Signal Corps and in the office of the Chief Signal Officer; telephone apparatus, including rental and payment for commercial, exchange, message, trunk-line, long-distance, and leased-line telephone service at or connecting any post, camp, can-

tonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, excepting the local telephone service for the various bureaus of the War Department in the District of Columbia, and toll messages pertaining to the office of the Secretary of War; electric time service; the rental of commercial telegraph lines and equipment, and their operation at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, including payment for official individual telegraph messages transmitted over commercial lines; electrical installations and maintenance thereof at military posts, cantonments, camps, and stations of the Army, fire control and direction apparatus, and matériel for Field Artillery; salaries of civilian employees, including those necessary as instructors at vocational schools; supplies, general repairs, reserve supplies, and other expenses connected with the collecting and transmitting of information for the Army by telegraph or otherwise; experimental investigation, research, purchase, and development, or improvements in apparatus, and maintenance of signaling and accessories thereto, including machines, instruments, and other equipment for laboratory and repair purposes; lease, alteration, and repair of such buildings required for storing or guarding Signal Corps supplies, equipment, and personnel when not otherwise provided for, including the land therefor, the introduction of water, electric light and power, sewerage, grading, roads and walks, and other equipment required; for all expenses, not otherwise provided for, incident to the preparation of plans, and construction, purchase, installation, equipment, maintenance, repair, and operation of aircraft warning service systems, and their accessories, including purchase of lands and rights-of-way, acquisition of leaseholds and other interests therein, and temporary use thereof; \$82,474,900, and in addition to this appropriation the Secretary may, prior to July 1, 1948, enter into contracts in an amount not in excess of \$5,000,000.

Telegraph lines.

Electrical installations.

Salaries of civilian employees.

Experimental investigation, etc. in-

Aircraft warning service systems.

## AIR CORPS

### AIR CORPS, ARMY

For creating, maintaining, and operating at established aviation and related schools courses of instruction for military personnel, including payment of tuition, cost of equipment and supplies necessary for instruction, and expenses of special lectures, purchase of tools, equipment, materials, machines, textbooks, scientific and professional papers, instruments, and materials for theoretical and practical instruction; for maintenance, repair, storage, and operation of airships, war balloons, and other aerial machines, and including instruments, materials, gas plants, hangars, and repair shops, and appliances of every sort and description necessary for the operation, construction, or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith and the establishment of landing and take-off runways; for purchase of supplies and procurement of services for securing, developing, printing, and reproducing photographs and motion pictures in connection with aerial photography, including aerial mapping and charting; improvement, equipment, maintenance, and operation of plants for testing and experimental work, and procuring and introducing water, electric light and power, gas, and sewerage, including maintenance, operation, and repair of such utilities at such plants; for the procurement of helium gas; for travel of military and civilian personnel in connection with the administration of this appropriation, including travel by air or rail required in connection with the transportation of new aircraft from factory to first destination; salaries and wages of civilian employees;

Courses of instruction.

Aircraft operation, etc.

Photographic supplies.

Helium gas.  
Travel expenses.

Civilian employees.

Development of new types of aircraft.	transportation of materials in connection with consolidation of Air Corps activities; experimental investigations and purchase and development of new types of aircraft, accessories thereto, and aviation engines, including plans, drawings, and specifications thereof;
Purchase, manufacture, and construction of aircraft.	purchase, manufacture, and construction of aircraft, and instruments and appliances, including radio, radar, and electronic equipment, necessary for the operation, construction, or equipment of aircraft, and spare parts and equipment connected therewith; air crew and aircraft rescue and fire fighting equipment, including trucks and boats;
Marking of military airways.	marking of military airways where the purchase of land is not involved; purchase, manufacture, and issue of special clothing, wearing apparel, and similar equipment for aviation purposes; expenses connected with the sale or disposal of surplus or obsolete aeronautical equipment, and the rental of buildings and other facilities for the handling or storage of such equipment; services of not more than four consulting engineers at experimental stations of the Air Corps as the Secretary of War may deem necessary, at rates of pay to be fixed by him not to exceed \$50 a day for not exceeding forty days each and necessary traveling expenses; purchase of special apparatus and appliances, repairs, and replacements of same used in connection with special scientific medical and meteorological research in the Air Corps; maintenance and operation of Air Corps printing plants outside of the District of Columbia authorized in accordance with law; special furniture, supplies and equipment for offices, shops, and laboratories; special services, including the salvaging of wrecked aircraft; payment of claims resulting from the operation of aircraft, under the provisions of the Act of July 3, 1943 (31 U. S. C. 223b), as amended, and the Federal Tort Claims Act of August 2, 1946 (Public Law 601); \$829,272,100: <i>Provided</i> , That in addition to said appropriation the Secretary may, prior to July 1, 1948, enter into contracts for procurement and construction of aircraft and equipment, spare parts and accessories, to an amount not in excess of \$430,000,000.
Consulting engineers.	
Printing plants.	
Payment of claims.	

57 Stat. 372.  
31 U. S. C. §§ 215-  
217 notes, 223b, 223c.  
60 Stat. 842.  
28 U. S. C. §§ 921, 922,  
931-934, 941-945.  
*Post*, p. 722.

## MEDICAL DEPARTMENT

### MEDICAL AND HOSPITAL DEPARTMENT

Supplies.	For the manufacture and purchase of medical and hospital supplies for military posts, camps, hospitals, hospital ships and transports, and supplies required for mosquito destruction in and about military posts in the Canal Zone; operation of the Army Medical Library and Museum under the direct supervision of the Surgeon General; purchase of veterinary supplies and hire of veterinary surgeons; expenses of medical supply depots and maintenance of branch depots; medical care and treatment of patients when entitled thereto by law, regulation, or contract, including their care, treatment and subsistence in private hospitals, whether on duty or on furlough or on leave of absence except when elective medical treatment has been obtained by such personnel in civilian hospitals or from civilian physicians or dentists; medical care and treatment of authorized personnel of any country whose defense the President deems vital to the defense of the United States when such care and treatment cannot be obtained from medical units of their own country; care and treatment of epidemic and contagious diseases in the Army or at military posts or stations, including measures to prevent the spread thereof, and the payment of reasonable damages, not otherwise provided for, for bedding and clothing injured or destroyed in such prevention; pay of male and female nurses, not including the Army Nurse Corps, and of cooks and other civilians employed for the proper care of patients, under
Care and treatment of patients.	
Epidemic and contagious diseases.	
Nurses, cooks, and other civilians.	

such regulations fixing their number, qualifications, assignments, pay, and allowances as shall have been or shall be prescribed by the Secretary of War; pay of internes; pay of civilian physicians employed to examine physically applicants for enlistment and enlisted men and to render other professional services from time to time under proper authority; pay of other employees of the Medical Department; payment of express companies and local transfers employed directly by the Medical Department for the transportation of medical and hospital supplies, including bidders' samples and water for analysis; supply of Army and Navy Hospital at Hot Springs, Arkansas; advertising, and other necessary miscellaneous expenses of the Medical Department; \$69,534,000.

Internes.  
Civilian physicians.

Army and Navy  
Hospital, Hot Springs,  
Ark.

## CORPS OF ENGINEERS

### ENGINEER SERVICE, ARMY

Engineer Service: For the design, development, procurement, manufacture, maintenance, alteration, repair, installation, storage, and issue of engineer equipment, instruments, appliances, supplies, materials, tools and machinery required in the equipment and training of troops and in military operations, including military surveys; operation and maintenance of the Engineer School, including compensation of civilian lecturers, and purchase and binding of scientific and professional books, pamphlets, papers, and periodicals; procurement, preparation, and reproduction of maps and similar data for military purposes; expenses incident to the Engineer Service in military and training operations, including military surveys, and including research and development of improved methods in such operations, rental of storehouses and grounds, and repair and alteration of buildings, including heat, light, power, water, and communication service, not otherwise provided for and expenses of railroad construction, including purchase or lease of equipment and materials, and the acquisition of lands, rights-of-way thereon, and other interests therein and temporary use thereof; \$129,386,000, and in addition to this appropriation the Secretary may, prior to July 1, 1948, enter into contracts in an amount not in excess of \$2,000,000;

Equipment, instru-  
ments, etc.

Engineer School.

Maps, etc.

Military and train-  
ing operations.

Barracks and quarters, Army: For expenses necessary for the maintenance, installation, repair, operation, protection, and rental of buildings, structures, grounds, utilities, flying fields, fortifications, and appurtenances thereto, or other facilities required for military use including the procurement of supplies, equipment, fuel, printing, binding, communication services, at the seat of government and elsewhere; manufacture, procurement, purchase, storage, issue, and transportation (including research, planning, design, development, inspection, tests, and the handling) of water, gas, electricity, fuel, tools, machinery, and equipment; construction of additions and extensions to and alterations, improvements, and rehabilitations of existing facilities; the furnishing of heat and light for buildings erected at private cost, in the operation of the Act approved May 31, 1902 (10 U. S. C. 1346), and buildings on military reservations, authorized by War Department regulations to be used for a similar purpose; expenses, including relocation costs and rental of buildings and offices, for other Government agencies, not otherwise provided for, necessitated by their vacation of Government-owned or other property for Army use; and expenses of packing and crating and unpacking and uncrating of equipment, material, supplies, baggage, and goods not otherwise provided for, \$191,353,000: *Provided*, That the amounts to be assessed and collected from nonmilitary interests on the Fort

32 Stat. 282.

Fort Monroe Mili-  
tary Reservation, Va.

Construction, limitation on cost.

Stabling.

Monroe Military Reservation, Virginia, for expenditure in the maintenance, repair, and operation of wharves, roads, sewerage systems, and other utilities at said reservation shall be fixed by the Secretary of War during the fiscal year ending June 30, 1948, in proportion to the service rendered to such nonmilitary interests: *Provided further*, That no part of the funds herein appropriated shall be available for construction of a permanent nature of an additional building or an extension or addition to an existing building, the cost of which in any case exceeds \$20,000: *Provided further*, That the monthly rental rate to be paid out of this appropriation for stabling any animal shall not exceed \$15;

In all, Engineer Service, Army, \$320,739,000, to be accounted for as one fund.

#### ORDNANCE DEPARTMENT

##### ORDNANCE SERVICE AND SUPPLIES, ARMY

Vehicles.

Publications.

Sale of scrap or salvage material.

Report of receipts and disbursements.

For manufacture, procurement, storage, and issue, including research, planning, design, development, inspection, test, alteration, maintenance, repair, and handling of ordnance material, together with the machinery, supplies, and services necessary thereto; supplies and services in connection with the general work of the Ordnance Department, comprising police and office duties, rents, tolls, fuel, light, water, advertising, stationery, typewriting and computing machines, including their exchange, and furniture, tools, and instruments of service; instruction, training, and other incidental expenses of the ordnance service; purchase and hire of passenger motor vehicles; ammunition for military salutes at Government establishments and institutions to which the issues of arms for salutes are authorized; services, material, tools, and appliances for operation of the testing machines and chemical laboratory in connection therewith; publications for libraries of the Ordnance Department, including the Ordnance Office: *Provided*, That, notwithstanding the provisions of any other law, not more than \$25,000,000 of the amounts received by the War Department during the fiscal year 1948 as proceeds from the sale of scrap or salvage material shall be available for expenses of transportation, demilitarization, and other preparation for sale or salvage of military supplies, equipment, and matériel: *Provided further*, That a report of receipts and disbursements under this limitation shall be made quarterly to the Appropriation Committees of the Congress; \$245,532,800, and in addition to this appropriation the Secretary may, prior to July 1, 1948, enter into contracts in an amount not in excess of \$2,000,000.

##### ROCK ISLAND BRIDGE, ROCK ISLAND, ILLINOIS

For operating, repair, and preservation of Rock Island bridges and viaduct, and maintenance and repair of the arsenal street connecting the bridges, \$44,000.

#### CHEMICAL CORPS

##### CHEMICAL SERVICE, ARMY

Chemical agents, etc.

For purchase, manufacture, and test of chemical agents and toxic substances, incendiary materials and munitions, gas masks, or other offensive or defensive materials or appliances required for chemical purposes, investigations, research, design, experimentation, and operation, purchase of chemicals, special scientific and technical apparatus and instruments, including services connected therewith; construction, maintenance, and repair of plants, buildings, and equipment, and the machinery therefor; receiving, storing, and issuing of supplies,

comprising police and office duties, rents, tolls, fuels, gasoline, lubricants, paints and oils, rope and cordage, light, water, advertising, stationery, typewriting and computing machines including their exchange, office furniture, tools, and instruments; incidental expenses; civilian employees; libraries of the Chemical Corps; expenses incidental to the organization, training, and equipment of special gas troops not otherwise provided for, including the training of the Army in Chemical Corps Activities, both offensive and defensive, together with the necessary schools, tactical demonstrations, and maneuvers; expenses of chemical projectile filling plants and proving grounds, including construction and maintenance of rail transportation, repairs, alterations, accessories, building and repairing butts and targets, clearing and grading ranges; \$19,890,300.

Special gas troops.  
Chemical Corps Activities.

### ARMY GROUND FORCES

#### TRAINING AND OPERATION, ARMY GROUND FORCES

For miscellaneous supplies, material, equipment, personal and other services, tuition and other incidental expenses essential in conducting instruction in Army Ground Forces and related activities at Army Ground Forces service schools and elsewhere and for operation of Army Ground Forces Headquarters, subordinate commands, installations, and boards, not otherwise provided for, \$4,500,000.

### UNITED STATES MILITARY ACADEMY

#### PAY OF MILITARY ACADEMY

Cadets: For pay of cadets, \$1,913,000: *Provided*, That during the fiscal year ending June 30, 1948, no officer of the Army shall be entitled to receive any increase in pay or allowances because of detail or assignment to duty in any capacity at the Military Academy: *Provided further*, That the duties of librarian of the United States Military Academy may be performed by an officer of the Regular Army retired from active service under the provisions of section 1251, Revised Statutes, and detailed on active duty for that purpose.

Army officers on detail, pay restriction.

Retired officer as librarian.

10 U. S. C. § 933.

#### MAINTENANCE AND OPERATION, UNITED STATES MILITARY ACADEMY

For text and reference books for instruction; increase and expense of library; office equipment and supplies; stationery, blank books, forms, printing and binding; diplomas for graduates; expense of lectures; apparatus, equipment, supplies, and materials for purpose of instruction and athletics, and maintenance and repair thereof; musical instruments and maintenance of band; care and maintenance of organ; equipment for cadet mess; postage, telephones, and telegrams; freight and expressage; for commutation of rations for cadets in lieu of the regular established ration; for commutation of rations for civilians employed at cadet mess in the same amount as deducted from each civilian's pay for said rations; maintenance of children's school (not exceeding \$12,200); contingencies for Superintendent of the Military Academy (not exceeding \$5,200) and for the Commandant of Cadets (not exceeding \$1,200), to be expended in their respective discretions; expenses of the members of the Board of Visitors (not exceeding \$1,500); contingent fund, to be expended under the direction of the Academic Board (not exceeding \$1,000); improvement, repair, and maintenance of buildings and grounds (including roads, walls, and fences); shooting galleries and ranges; cooking, heating, and lighting apparatus and fixtures and operation and maintenance thereof; maintenance of water, sewer, and plumbing systems; maintenance of and

Contingent fund.



Liquidation of indebtedness of certain cadets.

repairs to cadet camp; fire-extinguishing apparatus; machinery and tools and repairs of same; policing buildings and grounds; furniture, refrigerators, and lockers for Government-owned buildings at the Academy and repair and maintenance thereof; fuel for heat, light, and power; pay of employees; and other necessary incidental expenses in the discretion of the superintendent; in all, \$5,221,373: *Provided*, That not to exceed \$3,750 of this amount shall be available to liquidate the indebtedness of cadets separated from the service for any reason during their first year, who at the time of their separation are in debt to the cadet store.

#### NATIONAL GUARD

Training, etc.

For expenses necessary for equipping, maintaining, operating, and training the National Guard, including expenses of camps, airfields, storage facilities and alterations and additions to present structures either on Government-owned or State-owned land, construction and maintenance of buildings, structures, rifle ranges, and facilities, the hire (at a rate not exceeding \$1 per diem) of passenger automobiles, and the modification, repair, maintenance and operation of airplanes; transportation of things; personal services at the seat of government or elsewhere (including services of personnel of the National Guard employed as civilians, without regard to their military rank) necessary for the care, maintenance, modification and repair of materials and equipment, for Federal property and custodial accounting work, and for administrative and such other duties as may be required; medical and hospital treatment of members of the National Guard who suffer injury or contract disease in line of duty and other expenses connected therewith as authorized by the Act of June 15, 1936 (10 U. S. C. 455); pay at a rate not less than \$2,400 per annum and travel of property and disbursing officers for the United States; attendance of National Guard personnel at military service schools and expenses of enlisted men of the Regular Army on duty with the National Guard, including allowances for quarters and subsistence; drill pay of the National Guard; travel of personnel of the Regular Army detailed to or on duty with the National Guard, including mileage, transportation of dependents, and transportation, packing, crating and unpacking of household goods and effects; procurement and issue to the National Guard of the several States, Territories and the District of Columbia of military equipment and supplies, as provided by law, including motor-propelled vehicles and airplanes, and repair and modification of such equipment and supplies; \$134,000,000, and in addition to this appropriation the Secretary may, prior to July 1, 1948, enter into contracts in an amount not in excess of \$15,000,000: *Provided*, That the Secretary of War is hereby authorized to issue to the National Guard without charge against this appropriation except for actual expenses incident to such issue, supplies and equipment from surplus or excess supplies or equipment purchased for the Army: *Provided further*, That the number of caretakers authorized to be employed for any one unit, pool, or heavier-than-air squadron under the provisions of section 90 of the National Defense Act of June 3, 1916, as amended, may be such as is deemed necessary by the Secretary of War: *Provided further*, That not to exceed \$25,500 of this appropriation shall be available for the settlement of claims (not exceeding \$500 in any one case) for damages to or loss of private property incident to the operation of camps of instruction, either during the stay of National Guard units in such camps or while en route thereto or therefrom.

Surplus supplies of Army.

Caretakers.

39 Stat. 205.  
32 U. S. C. § 42.  
Settlement of claims.

Restriction on pay and expenses.

No part of the appropriations made in this Act shall be available for pay, allowances, or traveling or other expenses of any officer or enlisted man of the National Guard who may be drawing a pension,

disability allowance, disability compensation, or retired pay (where retirement has been made on account of physical disability or age) from the Government of the United States: *Provided*, That nothing herein shall be construed as barring the continuance of adjutants general in a federally recognized status without pay under this Act.

Status of adjutants general.

#### ORGANIZED RESERVES

For pay and allowances, not otherwise provided for, of members of the Officers' Reserve Corps (including nurses) and Reserve warrant officers on active duty in accordance with law; mileage, reimbursement of actual traveling expenses, or per diem allowances in lieu thereof, as authorized by law; travel in kind, or reimbursement in lieu thereof, as now authorized by law for officers of the Regular Army, of dependents of Reserve officers and Reserve warrant officers who have been ordered to active duty for periods in excess of fifteen days; personal services; pay, transportation, subsistence, clothing, and medical and hospital treatment of members of the Enlisted Reserve Corps; conducting correspondence or extension courses for instruction of members of the Reserve Corps, including necessary supplies, procurement of maps and textbooks; transportation and traveling expenses of employees; purchase of training manuals, including Government publications and blank forms; establishment, maintenance, and operation of Organized Reserve headquarters, aviation facilities and camps for training of the Organized Reserves; arms, equipment, supplies, and matériel (not otherwise provided for) required to arm and equip Organized Reserve organizations; miscellaneous expenses incident to the administration of the Organized Reserves; mileage, actual and necessary expenses, or per diem in lieu thereof, at rates authorized by law, incurred by officers and enlisted men of the Regular Army and Reserve officers and Reserve warrant officers ordered to active duty for periods in excess of fifteen days traveling on duty in connection with the Organized Reserves, and for travel of dependents, and packing and transportation of baggage of such personnel; expenses incident to the use, including upkeep and depreciation costs, of supplies, equipment, and matériel furnished from stocks under the control of the War Department; transportation of baggage, including packing and crating, of Reserve officers and Reserve warrant officers ordered to active duty for not less than six months; medical and hospital treatment of members of the Officers' Reserve Corps and of the Enlisted Reserve Corps who suffer injury or contract disease in line of duty, as provided by the Act of June 15, 1936 (10 U. S. C. 455), and such other purposes in connection therewith as are authorized by the said Act, including pay and allowances, subsistence, transportation, and burial expenses; in all, \$67,828,900.

Officers' Reserve Corps, etc.

Enlisted Reserve Corps.

Medical and hospital treatment.

49 Stat. 1507.  
10 U. S. C. §§ 451-455d.

Restriction on use of funds.

None of the funds appropriated elsewhere in this Act, except for printing and binding, field exercises, and for pay and allowances of officers and enlisted men of the Army of the United States, and for mileage, reimbursement of actual traveling expenses, or per diem allowances in lieu thereof, and travel of dependents or reimbursement therefor, as authorized by law, to Reserve officers on extended active duty, shall be used for expenses in connection with the Organized Reserves, but available supplies and existing facilities at military posts shall be utilized to the fullest extent practicable.

No appropriation made in this Act shall be available for pay, allowances, or traveling or other expenses of any officer of the Organized Reserves who may be drawing a pension, disability allowance, disability compensation, or retired pay from the Government of the United States.

Restriction on pay and expenses.

Medical Reserve  
Corps.  
Pay, etc., of certain  
officers and nurses.

The pay and allowances of such additional officers and nurses of the Medical Reserve Corps as are required to supplement the like officers and nurses of the Regular Army in the care of beneficiaries of the United States Veterans' Administration treated in Army hospitals may be paid from the funds allotted to the War Department by that Administration under existing law.

### CITIZENS' MILITARY TRAINING

#### RESERVE OFFICERS' TRAINING CORPS

Supplies, etc.

Training camps.

Travel allowance.

Students attending  
advanced camps.  
Senior division of  
ROTC.  
Subsistence.

39 Stat. 193; 41 Stat.  
778.

10 U. S. C. § 387a.  
Medical and hospital  
treatment.

10 U. S. C. §§ 451-  
455d.

For the procurement, maintenance, and issue, under such regulations as may be prescribed by the Secretary of War, to institutions at which one or more units of the Reserve Officers' Training Corps are maintained, of such public animals, means of transportation, supplies, tentage, equipment, and uniforms as he may deem necessary, including cleaning and laundering of uniforms and clothing at camps; and to forage, at the expense of the United States, public animals so issued, and to pay commutation in lieu of uniforms at a rate to be fixed annually by the Secretary of War; transporting said animals and other authorized supplies and equipment from place of issue to the several institutions and training camps and return of same to place of issue when necessary; purchase of training manuals, including Government publications and blank forms; for the establishment and maintenance of camps for the further practical instruction of the members of the Reserve Officers' Training Corps, and for transporting members of such corps to and from such camps or other places designated by the Secretary of War, and to subsist them while traveling to and from such camps and while remaining therein so far as appropriations will permit, or, in lieu of transporting them to and from such camps and subsisting them while en route, to pay them travel allowance at the rate of 5 cents per mile for the distance by the shortest usually traveled route from the places from which they are authorized to proceed to the camp and for the return travel thereto, and to pay the return travel pay in advance of the actual performance of the travel, or to pay commutation in lieu of subsistence at camps at rates fixed by the Secretary of War; expenses incident to the use, including upkeep and depreciation costs, of supplies, equipment, and matériel furnished in accordance with law from stocks under the control of the War Department; pay for students attending advanced camps at the rate authorized by law; payment of commutation of subsistence to members of the senior division of the Reserve Officers' Training Corps, at a rate not exceeding the cost of the garrison ration prescribed for the Army, as authorized in the Act approved June 3, 1916, as amended by the Act approved June 4, 1920 (10 U. S. C. 387); medical and hospital treatment of members of the Reserve Officers' Training Corps, who suffer personal injury or contract disease in line of duty, and for other expenses in connection therewith, including pay and allowances, subsistence, transportation, and burial expenses, as authorized by the Act of June 15, 1936 (49 Stat. 1507); mileage, traveling expenses, or transportation, for transportation of dependents (including dependents of retired officers, warrant officers, and enlisted men of the first three grades, and enlisted men of the first three grades of the Regular Army Reserve, ordered to active duty and upon relief therefrom), and for packing, crating and unpacking, and transportation of baggage (including baggage of retired officers, warrant officers, and enlisted men of the first three grades, and enlisted men of the first three grades of the Regular Army Reserve ordered to active duty and upon relief therefrom) for

officers, warrant officers, and enlisted men traveling on duty pertaining to or on detail to or relief from duty with the Reserve Officers' Training Corps; procurement and issue as provided in section 55c of the Act approved June 4, 1920 (10 U. S. C. 1180), and in section 1225, Revised Statutes, as amended, under such regulations as may be prescribed by the Secretary of War, to schools and colleges, other than those provided for in section 40 of the Act above referred to, of such arms, tentage, and equipment, and of ammunition, targets, and target materials, including the transporting of the same, and the overhauling and repair of articles issued as the Secretary of War shall deem necessary for proper military training in said schools and colleges; \$25,025,000: *Provided*, That uniforms and other equipment or material issued to the Reserve Officers' Training Corps in accordance with law shall be furnished from surplus or excess stocks of the War Department without payment from this appropriation, except for actual expense incurred in the manufacture or issue: *Provided further*, That in no case shall the amount paid from this appropriation for uniforms, equipment, or material furnished to the Reserve Officers' Training Corps from stocks under the control of the War Department be in excess of the price current at the time the issue is made: *Provided further*, That none of the funds appropriated in this Act shall be used for the organization or maintenance of a greater number of mounted units in the Reserve Officers' Training Corps than were in existence on January 1, 1928: *Provided further*, That none of the funds appropriated in this Act shall be available for any expense on account of any student in Veterinary units not a member of such units on May 5, 1932, but such stoppage of further enrollments shall not interfere with the maintenance of existing units: *Provided further*, That none of the funds appropriated elsewhere in this Act, except for printing and binding and pay and allowances of officers and enlisted men, shall be used for expenses in connection with the Reserve Officers' Training Corps.

Military equipment  
for schools, etc.  
41 Stat. 780.  
10 U. S. C. § 1182a.

41 Stat. 776.  
10 U. S. C. § 381.

Supplies from War  
Department surplus  
stocks.

Price.

Mounted units.

Student expenses in  
Veterinary units.

Restriction on use  
of other funds.

#### NATIONAL BOARD FOR PROMOTION OF RIFLE PRACTICE, ARMY

Promotion of rifle practice: For construction, equipment, and maintenance of rifle ranges, the instruction of citizens in marksmanship, and promotion of practice in the use of rifled arms, for arms, ammunition, targets, and other accessories for target practice, for issue and sale in accordance with rules and regulations prescribed by the National Board for the Promotion of Rifle Practice and approved by the Secretary of War; clerical services, including not exceeding \$82,000 in the District of Columbia; procurement of materials, supplies, trophies, prizes, badges, services, and such other items as are authorized in section 113, Act of June 3, 1916, and under this head in War Department Appropriation Act of June 7, 1924; conduct of the national matches, including incidental travel of rifle teams and of individuals and of Marine Corps and other detachments required in the operation of the matches and including incidental travel of rifle teams and individuals attending regional, national, and international competitions, and for the purchase of medals and badges for use in National Rifle Association competitions, including those fired as a part of the national matches; mileage at 8 cents per mile for members of the National Board for the Promotion of Rifle Practice when authorized by the Secretary of War, any provision of law to the contrary notwithstanding; and maintenance of the National Board for the Promotion of Rifle Practice, including not to exceed \$10,500 for incidental expenses in addition to the amount authorized by Act

Supplies, etc.

39 Stat. 211; 43 Stat.  
510.  
32 U. S. C. §§ 183,  
186, 181.  
National matches.

Mileage for Board  
members.

Maintenance of  
Board.

45 Stat. 786.  
32 U. S. C. § 181c.  
Volunteer competi-  
tors or range officers.

Travel and subsist-  
ence allowances.

Care, etc., of ranges.

of May 28, 1928; to be expended under the direction of the Secretary of War; \$303,500: *Provided*, That officers, warrant officers, and enlisted men of the National Guard and Organized Reserves, who, under regulations prescribed by the Secretary of War, volunteer to participate without pay as competitors or range officers in the national matches to be held during the fiscal year 1948, may attend such matches without pay, notwithstanding any provision of law to the contrary, but shall be entitled to travel and subsistence allowances at the same rates as are provided for civilians who attend and participate in said matches, but this proviso shall not operate to prohibit the pay of such competitors or range officers, provided funds for such payment are available from the appropriation "Promotion of rifle practice, 1948", nor shall any provision in this Act operate to deprive a Reserve officer ordered to active duty incident to the national matches of pay for the full period of such active duty, provided funds for such payment are available from the appropriation "Promotion of rifle practice, 1948": *Provided further*, That officers, warrant officers, and enlisted men of the National Guard and Organized Reserves may be ordered to duty, with their consent, for the care, maintenance, and operation of the ranges used in the conduct of the national matches, and such officers, warrant officers, and enlisted men while so engaged shall be entitled to the same pay, subsistence, and transportation as officers, warrant officers, and enlisted men of corresponding grades of the Regular Army are entitled by law, which expense shall be provided by the appropriation "Promotion of rifle practice"; and after being duly mustered may be paid for the period from the date of leaving home rendezvous to date of return thereto as determined in advance, both dates inclusive.

#### INTER-AMERICAN RELATIONS, WAR DEPARTMENT

For expenses necessary to enable the Secretary of War to adopt such measures, appropriate to the functions and activities of the War Department, as he may deem advisable, to promote better relations with the other American countries, including transportation and subsistence expenses, while traveling in the Western Hemisphere, of Army officers and military students of the other American countries and Army officers of the United States, \$650,000.

#### SALARIES, WAR DEPARTMENT

For compensation for personal services in the War Department proper, as follows:

Office of Secretary of War: Secretary of War, Under Secretary of War, Assistant Secretaries of War, and other personal services, \$564,000;

Office of Chief of Staff, \$394,000;  
Adjutant General's Office, \$2,088,000;  
Office of the Inspector General, \$33,000;  
Office of the Judge Advocate General, \$134,000;  
Office of the Chief of Finance, \$609,000;  
Office of the Quartermaster General, \$831,000;  
Office of the Chief Signal Officer, \$371,000;  
Office of Commanding General, Army Air Forces, \$517,000;  
Office of the Surgeon General, \$393,000;  
Office of Chief of Engineers, \$531,000;  
Office of Chief of Ordnance, \$883,000;  
Office of Chief, Chemical Corps, \$83,000;  
Office of Chief of Chaplains, \$7,000;  
National Guard Bureau, War Department, \$104,000;  
In all, salaries, War Department, \$7,542,000.

The Secretary of War is authorized to employ such additional personnel at the seat of government and elsewhere, and to provide out of any appropriations available for the Military Establishment for their salaries and for such printing and binding, communication and other services, and supplies as he may deem necessary to carry out the purposes of this Act, but the amount so used for personal services at the seat of government, other than for field service employees and employees of other agencies paid from funds transferred thereto from appropriations contained in this Act, shall not exceed \$43,039,100.

Employment of additional personnel.

#### OFFICE OF THE SECRETARY

##### CONTINGENT EXPENSES, WAR DEPARTMENT

For miscellaneous expenses at the seat of government, \$2,350,000.

##### PRINTING AND BINDING, WAR DEPARTMENT

For printing and binding, except such as may be otherwise provided for in accordance with law, \$7,000,000.

#### GENERAL PROVISIONS

*Post*, p. 625.

SEC. 2. The foregoing appropriations for "Quartermaster Service, Army", "Signal Service of the Army", "Air Corps, Army", "Medical and Hospital Department", "Engineer Service, Army", "Ordnance Service and Supplies", and "Chemical Service, Army" shall each be available for the pay and allowances, including travel allowances, of such Reserve officers as the President may, with their consent, order to active duty for such periods, not in excess of two years, as their service may be required in the procurement or production of equipment therein appropriated for, or on duty pertaining to aviation.

Pay and allowances of Reserve officers on active duty.

SEC. 3. Appropriations for the Military Establishment for the fiscal year 1948 shall be available for carrying out the purposes of Executive Order 9112 of March 26, 1942; for expenses in connection with the administration by the Army of occupied areas; for expenses of conducting investigations in foreign countries incident to matters relating strictly to the Military Establishment, without regard to section 3648, Revised Statutes, including such compensation, expenses, and allowances of witnesses, cost of procuring and transcribing evidence, documents, and testimony, and other miscellaneous and incidental expenses as may be determined by the investigating officer to be necessary and in accord with local custom; for carrying into effect the provisions of the Act entitled "An Act to govern distribution of war trophies and devices", approved July 16, 1946 (Public Law 510); for actual and necessary expenses or per diem in lieu thereof authorized by section 12 of the Pay Readjustment Act of 1942, as amended; for per diem allowances authorized by section 4 of the Act approved August 2, 1946 (Public Law 600); for providing primary and secondary schooling for dependents of military and civilian personnel residing on military reservations in amounts not exceeding \$100 per child when the Secretary of War finds that the schools, if any, available in the locality, are unable to provide adequately for the education of such dependents; and for health programs authorized by the Act of August 8, 1946 (Public Law 658).

Financing war contracts, etc.  
50 U. S. C. app. § 611 note.

31 U. S. C. § 529.

60 Stat. 535.  
5 U. S. C. §§ 207a-207l.  
56 Stat. 364.  
37 U. S. C. § 112.  
60 Stat. 808.  
5 U. S. C. § 823 note.

60 Stat. 903.  
5 U. S. C. § 150.

Post exchanges, etc.

SEC. 4. No part of any appropriation made by this Act shall be used in any way to pay any expense in connection with the conduct, operation, or management of any post exchange, branch exchange, or subexchange within any State, Territory, or the District of Columbia, save and except for real assistance and convenience under such regulations as the Secretary of War may prescribe, to such personnel

Certification on monthly reports.	as are now or may be hereafter authorized by law and regulation to purchase subsistence stores or other Quartermaster supplies and to civilians employed or serving at military posts in supplying them with articles of small personal needs, not similar to those furnished by the Government: <i>Provided</i> , That the commanding officer of the post at which any such exchange is situated shall certify on the monthly report of the post exchange council that such exchange was, during the period covered by such report, operated in compliance with this section: <i>Provided further</i> , That at posts isolated from a convenient market the Secretary of War may broaden the nature of the articles to be sold.
Isolated posts.	
Canal Zone. Citizenship requirement.	SEC. 5. No part of any appropriation contained in this Act shall be used directly or indirectly, except for temporary employment in case of emergency, for the payment of any civilian for services rendered by him on the Canal Zone while occupying a skilled, technical, clerical, administrative, executive, or supervisory position unless such person is a citizen of the United States of America or of the Republic of Panama: <i>Provided, however</i> , (1) That, notwithstanding the provision in the Act approved August 11, 1939 (53 Stat. 1409), limiting employment in the above-mentioned positions to citizens of the United States from and after the date of the approval of said Act, citizens of Panama may be employed in such positions; (2) that at no time shall the number of Panamanian citizens employed in the above-mentioned positions exceed the number of citizens of the United States so employed, if United States citizens are available in continental United States or on the Canal Zone; (3) that nothing in this Act shall prohibit the continued employment of any person who shall have rendered fifteen or more years of faithful and honorable service on the Canal Zone; (4) that in the selection of personnel for skilled, technical, administrative, clerical, supervisory, or executive positions, the controlling factors in filling these positions shall be efficiency, experience, training, and education; (5) that all citizens of Panama and the United States rendering skilled, technical, clerical, administrative, executive, or supervisory service on the Canal Zone under the terms of this Act (a) shall normally be employed not more than forty hours per week, (b) may receive as compensation equal rates of pay based upon rates paid for similar employment in continental United States plus 25 per centum; (6) this entire section shall apply only to persons employed in skilled, technical, clerical, administrative, executive, or supervisory positions on the Canal Zone directly or indirectly by any branch of the United States Government or by any corporation or company whose stock is owned wholly or in part by the United States Government: <i>Provided further</i> , That the President may suspend from time to time in whole or in part compliance with this section in time of war or national emergency if he should deem such course to be in the public interest: <i>Provided further</i> , That the President may, if he finds it necessary because of a shortage of housing, suspend, for the fiscal year 1948, the application of those portions of this section which require the employment of citizens of the Republic of Panama or of the United States in skilled, technical, clerical, administrative, executive, or supervisory positions.
Employment of Panamanian citizens. 48 U. S. C. § 1307 note.	
Limitation on number.	
Employees with 15 years of service.	
Selection of personnel.	
Hours of employment; pay rates.	
Applicability of section.	
Wartime or emergency suspension.	
Suspension because of housing shortage.	
Instruction, etc., of civilian employees.	SEC. 6. Appropriations for the Military Establishment for the fiscal year 1948 shall be available for all necessary expenses in connection with the instruction and training, including tuition, not otherwise provided for, of civilian employees in and under the War Department and the Military Establishment.
Temporary services by contract.	SEC. 7. Whenever, during the fiscal year ending June 30, 1948, the Secretary of War should deem it to be advantageous to the national defense, and if in his opinion the existing facilities of the War

Department are inadequate, he is hereby authorized to procure services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), at rates not in excess of \$50 per day for individuals, and to pay in connection therewith travel expenses of individuals, including actual transportation and per diem in lieu of subsistence while traveling from their homes or places of business to official duty station and return as may be authorized in travel orders or letters of appointment.

60 Stat. 810.  
5 U. S. C. § 55a.

SEC. 8. Section 3648, Revised Statutes (31 U. S. C. 529), shall not apply to payments made from appropriations contained in this Act in compliance with the laws of foreign countries or their ministerial regulations, to payments for rent in such countries for such periods as may be necessary to accord with local custom, or to payments made for tuition.

Advances of public  
moneys.

SEC. 9. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Persons engaging,  
etc., in strikes against  
or advocating over-  
throw of U. S. Gov-  
ernment.

Affidavit.

Penalty.

SEC. 10. No part of any money appropriated herein or included under any contract authority herein granted shall be expended for the payment of any commission on any land purchase contract in excess of 2 per centum of the purchase price.

Commissions on  
land purchase con-  
tracts.

SEC. 11. No part of any appropriation contained in this Act may be obligated for the construction of quarters, including heating and plumbing apparatus, wiring and fixtures, in continental United States, except in Alaska, for greater amounts per unit than follow:

Construction of  
quarters, limitations.

Permanent construction:

For commissioned officer, \$10,000.

For commissioned warrant or warrant officer, \$7,500.

For enlisted man, \$6,000.

Temporary construction:

For commissioned officer, \$7,500.

For commissioned warrant or warrant officer, \$5,000.

For enlisted man, \$3,500.



Maintenance of  
prisoners of war, etc.

SEC. 12. The Secretary of War is authorized to utilize any appropriation available for the Military Establishment, under such regulations as he may prescribe, for expenses incident to the maintenance, pay, and allowances of prisoners of war, other persons in Army custody whose status is determined by the Secretary of War to be similar to prisoners of war, and persons detained in Army custody pursuant to Presidential proclamation.

Gages, dies, jigs,  
etc.

SEC. 13. The appropriations contained in this Act which are available for the procurement or manufacture of munitions of war of special or technical design may be used for the development and procurement of gages, dies, jigs, and other special aids and appliances, production studies, factory plans, and other production data, including specifications and detailed drawings, in accordance with the provisions of sections 120 and 123 of the National Defense Act, as amended. Such appropriations may also be used for the purchase of letters patent, applications for letters patent, and licenses under letters patent and applications for letters patent that pertain to such equipment or material for which the appropriations are made.

39 Stat. 213, 215.  
50 U. S. C. §§ 80, 78.

Family allowance,  
audit work.

SEC. 14. None of the moneys appropriated by this or any other Act shall be available to the War Department or the Military Establishment for audit work for the purpose of reconciling family allowance pay-roll deductions made by disbursing officers in the field with family allowance payments to dependents of military personnel under the provisions of the Servicemen's Dependents Allowance Act of 1942.

56 Stat. 381.  
37 U. S. C. §§ 201-  
221.  
Allowance for rental  
of quarters.

SEC. 15. During the fiscal year 1948 occupancy of Government facilities under the jurisdiction of the Military Establishment on a rental basis by personnel of the services mentioned in the title of the Pay Readjustment Act of 1942 or by their dependents shall not deprive such personnel of money allowances for rental of quarters.

56 Stat. 359.  
37 U. S. C. §§ 101  
120.  
*Ante*, pp. 52, 92, 134,  
192, 242; *post*, p. 388.  
5 U. S. C. § 947.

SEC. 16. The limitation imposed by section 14 of the Act of May 24, 1946 (60 Stat. 219), with respect to War Department personnel, shall not apply to the War Department with respect to employment of and payment to personnel engaged on orders and work received from and financed by the Navy Department or other Federal agencies if such personnel is charged to a ceiling determination for another agency under 607 (g) (1) of the Federal Employees Pay Act of 1945, as amended, or the National Guard, and Organized Reserves of the Army or to employee personnel engaged in demilitarization of ammunition and matériel.

60 Stat. 219.  
5 U. S. C. § 947(g) (1).

## TITLE II—SURPLUS APPROPRIATION RESCISSIONS

*Ante*, p. 22.

SEC. 201. Appropriations for the Military Establishment available in the fiscal year 1946 and prior years are hereby reduced in the sums hereinafter set forth, such sums to be carried to the surplus fund and covered into the Treasury immediately upon the approval of this Act:

### Office of Secretary of War:

Contingencies of the Army, 1942-1946, \$5,000,000.

Expediting production of equipment and supplies for national defense, 1940-1946, \$20,000,000.

### General Staff Corps:

Contingent Fund, Chief of Staff, 1942-1946, \$3,000,000.

Special Field Exercises, Army, 1942-1946, \$3,300,000.

Army War College: Army War College, 1942-1946, \$2,500.

Adjutant General's Department: Command and General Staff School, Fort Leavenworth, Kansas, 1942-1946, \$7,000.

**Finance Department:**

Finance Service, Army, 1942–1946, \$279,000,000, and sub-appropriations under this head are hereby decreased as follows: (1) Pay of the Army, \$154,000,000; (2) Travel of the Army, \$121,000,000; and (3) Finance Service, \$3,000,000; and (4) claims of military and civilian personnel of the War Department, \$1,000,000.

**Quartermaster Corps:**

Quartermaster Service, Army, 1942–1946, \$190,000,000, and sub-appropriations under this head are hereby decreased as follows: (1) Welfare of enlisted men, \$4,000,000; (2) subsistence of the Army, \$42,000,000; (3) regular supplies of the Army, \$59,000,000; (4) clothing and equipage, \$27,000,000; (5) incidental expenses of the Army, \$8,000,000; and (6) Army transportation, \$50,000,000.

**Transportation Corps:**

Transportation Service, Army, 1945–1946, \$165,000,000.

**Signal Corps:**

Signal Service of the Army, 1942–1946, \$220,000,000.

**Medical Department:**

Medical and Hospital Department, Army, 1942–1946, \$6,500,000.

**Corps of Engineers:**

Engineer Service, Army, 1942–1946, \$120,000,000, and sub-appropriations under this head are hereby decreased as follows: (1) Engineer Service, \$86,000,000; (2) Military posts, \$13,000,000; and (3) Barracks and quarters, Army, \$21,000,000.

**Ordnance Department:**

Ordnance Service and Supplies, Army, 1942–1946, \$363,000,000.

**Chemical Warfare Service:**

Chemical Warfare Service, Army, 1942–1946, \$30,000,000.

Special Service Schools: Special Service Schools, Army, 1942–1946, \$2,000, and subappropriations under this head are hereby decreased as follows: (1) Infantry School, \$300; (2) Cavalry activities, \$200; (3) Field Artillery activities, \$750; and (4) Coast Artillery activities, \$750.

Armored force: Instruction in armored force activities, 1942–1946, \$55,000.

Seacoast defenses: Seacoast defenses, general, 1942–1946, \$2,000,000.

**United States Military Academy:**

Pay of Military Academy, 1942–1946, \$35,000.

Maintenance and operation, United States Military Academy, 1942–1946, \$550,000.

National Guard: National Guard, 1942–1946, \$3,000,000.

**Organized Reserves:**

Organized Reserves, 1942–1946, \$28,000,000.

Inter-American Relations, War Department: Inter-American Relations, War Department, 1943–1946, \$125,000.

**Salaries, War Department:**

Salaries, Office of Secretary of War, 1942–1946, \$1,874.

Salaries, Office of Chief of Staff, 1942–1946, \$19,176.

Salaries, Adjutant General's Office, 1942–1946, \$29,321.

Salaries, Office of Chief of Cavalry, 1942–1946, \$7,021.

Salaries, Office of the Inspector General, 1942–1946, \$49.

Salaries, Office of the Judge Advocate General, 1942–1946, \$3,342.

Salaries, Office of Chief of Field Artillery, 1942–1946, \$2,358.

Salaries, Office of the Chief of Finance, 1942–1946, \$11,667.

Salaries, Office of Chief of Infantry, 1942–1946, \$7,508.

Salaries, Office of the Quartermaster General, 1942–1946, \$20,176.

Salaries, Office of the Chief Signal Officer, 1942–1946, \$4,987.

Salaries, Office of Commanding General, Army Air Forces, 1942–1946, \$1,877.

Salaries, Office of Chief of Engineers, 1942–1946, \$40,857.

Salaries, Office of Chief of Ordnance, 1942–1946, \$24,553.

Salaries, Office of Chief of Chaplains, 1942–1946, \$3.

Salaries, National Guard Bureau, 1942–1946, \$3,615.

Salaries, Office of Chief of Coast Artillery, 1942–1946, \$11,616.

Office of the Secretary: Contingent expenses, War Department, 1942–1946, \$200,000.

In all, title II, \$1,438,966,500.

Sec. 202. This Act may be cited as the "Military Appropriation Act, 1948".

Approved July 30, 1947.

Total.

Short title.

#### [CHAPTER 358]

#### AN ACT

Making appropriations for Government corporations and independent executive agencies for the fiscal year ending June 30, 1948, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### TITLE I

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1948, namely:

#### TENNESSEE VALLEY AUTHORITY

For the purpose of carrying out the provisions of the Tennessee Valley Authority Act of 1933, as amended (16 U. S. C., ch. 12A), \$18,700,000, including not to exceed \$3,253,979 for the construction of South Holston Dam and Watauga Dam and not to exceed \$5,000,000 for chemical plant; hire, maintenance, repair, and operation of aircraft, and the purchase of one hundred and sixty-one and hire of passenger motor vehicles; penalty mail (not to exceed \$20,000), together with the unexpended balance of funds heretofore appropriated (the unobligated portion of such unexpended balance to be expended only for public works commenced prior to July 1, 1947), to remain available until expended, and to be available for the payment of obligations chargeable against prior appropriations: *Provided*, That of said unexpended balance, not less than \$12,000,000 is to be available for the construction of the Watauga and South Holston Dams.

48 Stat. 58.  
16 U. S. C. §§ 831–  
831dd.

Watauga and South  
Holston Dams.

*Ante*, p. 200; *post*, p.  
616.

#### HOUSING EXPEDITER

Salaries and expenses, Office of the Housing Expediter: For all expenses, including penalty mail costs, necessary to enable the Housing Expediter to perform his functions pursuant to title I of the Housing and Rent Act of 1947 and to liquidate the functions of the Office of the Housing Expediter performed under Public Law 388, Seventy-ninth Congress, and title I of the Housing and Rent Act of 1947 (which liquidation shall be completed by June 30, 1948); including

*Ante*, p. 193.  
60 Stat. 207.  
50 U. S. C. app.  
§§ 1821–1833.  
*Ante*, p. 193.

hire of passenger motor vehicles; services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), but at rates for individuals not in excess of \$35 per diem; and not to exceed \$5,000 for payment of claims pursuant to part 2 of the Federal Tort Claims Act, \$4,125,000, of which \$1,908,000 shall be available exclusively for terminal leave.

60 Stat. 810.  
5 U. S. C. § 55a.

60 Stat. 843.  
28 U. S. C. §§ 921,  
922.

## NATIONAL HOUSING AGENCY

### OFFICE OF THE ADMINISTRATOR

Salaries and expenses, Office of the Administrator, \$100,000, including cost of penalty mail: *Provided*, That the cost of terminal leave of any personnel of the Office of the Administrator shall be paid out of funds available for administrative expenses to the constituent units of the National Housing Agency: *Provided further*, That there shall be transferred to this account not to exceed \$765,000 of the funds available under sections 303 and 502 of Public Law 849, Seventy-sixth Congress, as amended; such total funds to be available for all necessary administrative expenses of the Office of the Administrator.

*Ante*, p. 515.

Cost of terminal  
leave.

Transfer of funds.

55 Stat. 363; 59  
Stat. 260.  
42 U. S. C. §§ 1543,  
1572.  
*Ante*, pp. 454, 128.

### FEDERAL PUBLIC HOUSING AUTHORITY

Annual contributions: For the payment of annual contributions to public housing agencies in accordance with section 10 of the United States Housing Act of 1937, as amended (42 U. S. C. 1410) \$4,000,000: *Provided*, That except for payments required on contracts entered into prior to April 18, 1940, no part of this appropriation shall be available for payment to any public housing agency for expenditure in connection with any low-rent housing project, unless the public housing agency shall have adopted regulations prohibiting as a tenant of any such project by rental or occupancy any person other than a citizen of the United States, but such prohibition shall not be applicable in the case of a family of any serviceman or the family of any veteran who has been discharged (other than dishonorable) from, or the family of any serviceman who died in, the armed forces of the United States within four years prior to the date of application for admission to such housing: *Provided further*, That no part of this appropriation shall be used to pay any public housing agency any contribution occasioned by payments in lieu of taxes in excess of the amount specified in the original contract between such agency and the Federal Public Housing Authority: *Provided further*, That all expenditures of this appropriation shall be subject to audit and final settlement by the Comptroller General of the United States under the provisions of the Budget and Accounting Act of 1921, as amended.

50 Stat. 891.

Citizenship of  
tenants.

Restriction on pay-  
ments.

Audit and settle-  
ment.

42 Stat. 20.  
31 U. S. C. § 1.

## DEPARTMENT OF STATE

### THE INSTITUTE OF INTER-AMERICAN AFFAIRS

For the payment of obligations incurred under the contract authorization of \$18,000,000 under the head "Office of the Coordinator of Inter-American Affairs" in the National War Agencies Appropriation Act, 1944, \$7,000,000: *Provided*, That this appropriation shall be available only for completion of programs heretofore inaugurated and for the liquidation of The Institute of Inter-American Affairs.

57 Stat. 529.

### INTER-AMERICAN EDUCATIONAL FOUNDATION, INCORPORATED

For the payment of obligations incurred under the contract authorization of \$2,500,000 under the head "Office of the Coordinator of Inter-American Affairs" in the National War Agency Appropriation Act,

58 Stat. 537.

1945, \$1,115,000: *Provided*, That this appropriation shall be available only for completion of programs heretofore inaugurated and for the liquidation of the Inter-American Educational Foundation, Incorporated.

## TITLE II

Expenditures, contracts, etc.

59 Stat. 598.  
31 U. S. C. § 849.  
Post, p. 584.

The following corporations and agencies, respectively, are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out the programs set forth in the Budget for the fiscal year 1948 for each such corporation or agency, except as hereinafter provided:

## INDEPENDENT AGENCIES AND CORPORATIONS

60 Stat. 903.  
5 U. S. C. § 150.60 Stat. 810.  
5 U. S. C. § 55a.  
Nonadministrative expenses.

Export-Import Bank of Washington: Not to exceed \$800,000 (to be on an accrual basis) of the funds of the Export-Import Bank of Washington shall be available during the fiscal year 1948 for all administrative expenses of the Bank, including not to exceed \$100 for periodicals, \$200 for newspapers, and \$200 for maps; health service program as authorized by the Act of August 8, 1946 (Public Law 658), and not to exceed \$24,000 for temporary services, as authorized by section 15 of the Act of August 2, 1946 (Public Law 600): *Provided further*, That necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belong to the Bank or in which it has an interest, including expenses of collections of pledged collateral, or the investigation or appraisal of any property in respect to which an application for a loan has been made, shall be considered as nonadministrative expenses for the purposes hereof.

Panama Railroad Company: Not to exceed \$750,000 (to be computed on an accrual basis) of the funds of the Company shall be available during the fiscal year 1948 for its administrative expenses, including administrative services performed for the Company by other Government agencies, which shall be determined in accordance with the Company's prescribed accounting system in effect on July 1, 1946, and shall be exclusive of depreciation, payment of claims, contributions to employees retirement system, expenditures which the Company's prescribed accounting system requires to be capitalized or charged to cost of commodities acquired, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, and disposition of facilities and other property belonging to the company or in which it has an interest.

Liquidation.

Tennessee Valley Associated Cooperatives, Inc.: Not to exceed \$2,500 shall be available for administrative expenses related to liquidation: *Provided*, That appropriate steps shall be taken to secure the final dissolution and liquidation of the Corporation at the earliest practicable date and such dissolution and liquidation shall be under the supervision and direction of the Secretary of the Treasury.

Payment of bonded indebtedness.

Tennessee Valley Authority: Not later than June 30, 1948, and not later than June 30 of each calendar year thereafter, until a total of \$348,239,240 has been paid as herein provided, the board of directors of the Tennessee Valley Authority shall pay from net income derived the immediately preceding fiscal year from power operations (such net income to be determined by deducting power operating expenses, allocated common expense, and interest on funded debt from total

power operating revenues) not less than \$2,500,000 of its outstanding bonded indebtedness to the Treasury of the United States exclusive of interest, and such a portion of the remainder of such net income into the Treasury of the United States as miscellaneous receipts as will, in the ten-year period ending June 30, 1958, and in each succeeding ten-year period until the aforesaid total of \$348,239,240 shall have been paid, equal not less than a total of \$87,059,810, including payment of bonded indebtedness exclusive of interest on such bonded indebtedness. Total payments of not less than \$10,500,000 shall be made not later than June 30, 1948.

Amounts equal to the total of all appropriations herein and hereafter made to the Tennessee Valley Authority for power facilities shall be paid by the board of directors thereof, in addition to the total of \$348,239,240 specified in the foregoing paragraph, to the Treasury of the United States as miscellaneous receipts, such payments to be amortized over a period of not to exceed forty years after the year in which such facilities go into operation.

None of the power revenues of the Tennessee Valley Authority shall be used for the construction of new power producing projects (except for replacement purposes) unless and until approved by Act of Congress.

Appropriations for power facilities.

Construction of new power projects.

#### NATIONAL HOUSING AGENCY

Federal Home Loan Bank Administration: Not to exceed a total of \$1,400,000 to be derived from the special deposit account established under the provisions under the head "Federal Home Loan Bank Administration" in the Independent Offices Appropriation Act, 1944, and from receipts of the Federal Home Loan Bank Administration or the Federal Home Loan Bank Board for the fiscal year 1948 and prior fiscal years, shall be available during the fiscal year 1948 for administrative expenses of the Federal Home Loan Bank Administration. (Executive Order 9070 of February 24, 1942), including health service program as authorized by the Act of August 8, 1946 (Public Law 658): *Provided*, That all necessary expenses in connection with the conservatorship of institutions insured by the Federal Savings and Loan Insurance Corporation and all necessary expenses (including services performed on a contract or fee basis, but not including other personal services) in connection with the handling, including the purchase, sale, and exchange, of securities on behalf of Federal Home Loan banks, and the sale, issuance, and retirement of, or payment of interest on, debentures or bonds, under the Federal Home Loan Bank Act, as amended, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That notwithstanding any other provisions of this Act, except for the limitation in amount hereinbefore specified, the administrative expenses and other obligations of the Administration shall be incurred, allowed, and paid in accordance with the provisions of the Federal Home Loan Bank Act of July 22, 1932, as amended (12 U. S. C. 1421-1449).

Federal Savings and Loan Insurance Corporation: Not to exceed \$532,000 shall be available for administrative expenses, including health service program as authorized by the Act of August 8, 1946 (Public Law 658), and the use of services and facilities of the Federal Home Loan banks, Federal Reserve banks, and agencies of the Government, including the Federal Home Loan Bank Administration and the Home Owners' Loan Corporation, which shall be on an accrual basis and shall be exclusive of interest paid, depreciation, properly capitalized expenditures, and expenses in connection with liquidation of insured institutions, liquidation or handling of assets of or derived from insured institutions, payment of insurance, and action for or

57 Stat. 185.

50 U. S. C. app. § 601 note.  
60 Stat. 903.  
5 U. S. C. § 150.  
Nonadministrative expenses.

47 Stat. 725.  
Post, p. 714.

60 Stat. 903.  
5 U. S. C. § 150.

toward the avoidance, termination, or minimizing of losses in the case of specific insured institutions: *Provided*, That notwithstanding any other provisions of this Act, except for the limitation in amount hereinbefore specified, the administrative expenses and other obligations of said Corporation shall be incurred, allowed, and paid in accordance with title IV of the Act of June 27, 1934, as amended (12 U. S. C. 1724-1730).

48 Stat. 1255.

60 Stat. 903.  
5 U. S. C. § 150.

Home Owners' Loan Corporation: Not to exceed \$3,250,000 shall be available for administrative expenses, including health service program as authorized by the Act of August 8, 1946 (Public Law 658), and the use of services and facilities of the Federal Home Loan banks, Federal Reserve banks, and agencies of the Government, including the Federal Home Loan Bank Administration and the Federal Savings and Loan Insurance Corporation, which shall be on an accrual basis and shall be exclusive of interest paid, depreciation, properly capitalized expenditures, expenses (including services performed on a force account, contract, or fee basis, but not including other personal services) in connection with the acquisition, protection, operation, maintenance, improvement, or disposition of real or personal property belonging to said Corporation or in which it has an interest, and legal fees and expenses: *Provided*, That notwithstanding any other provisions of this Act, except for the limitation in amount hereinbefore specified, the administrative expenses and other obligations of said Corporation shall be incurred, allowed, and paid in accordance with the Home Owners' Loan Act of 1933, as amended (12 U. S. C. 1461-1468).

48 Stat. 123.  
*Ante*, p. 208; *post*, p. 786.

Federal Housing Administration: In addition to the amounts available by or pursuant to law (which shall be transferred to this authorization) for the administrative expenses of the Federal Housing Administration in carrying out duties imposed by or pursuant to law, not to exceed \$20,000,000 of the various funds of the Federal Housing Administration as follows: (1) The mutual mortgage insurance fund; (2) the housing insurance fund; (3) the account in the Treasury comprised of funds derived from premiums collected under authority of section 2 (f), title I of the National Housing Act, as amended (12 U. S. C. 1701); and (4) the war housing insurance fund shall be available for expenditure, in accordance with the provisions of said Act for the administrative expenses of the Federal Housing Administration, including not to exceed \$1,500 for periodicals and newspapers; not to exceed \$1,500 for contract actuarial services; and health program as authorized by the Act of August 8, 1946 (Public Law 658): *Provided*, That necessary expenses of the Administration (including both services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, protection, completion, operation, maintenance, improvement, or disposition of real or personal property of the Administration acquired under authority of titles I, II, and VI of said National Housing Act, shall be considered as nonadministrative for the purposes hereof: *Provided further*, That, except as herein otherwise provided, the administrative expenses and other obligations, including nonadministrative expenses, of the Administration shall be incurred, allowed, and paid in accordance with the provisions of said Act of June 27, 1934, as amended (12 U. S. C. 1701).

53 Stat. 805.  
12 U. S. C. § 1703 (f).

Actuarial services.

60 Stat. 903.  
5 U. S. C. § 150.  
Nonadministrative expenses.

48 Stat. 1246, 1247;  
55 Stat. 55.  
12 U. S. C. §§ 1701-1715c; 1736-1743.  
*Ante*, pp. 182, 193, 208; *post*, pp. 777, 945.

Federal Public Housing Authority: Of the amounts available by or pursuant to law for the administrative expenses of the Federal Public Housing Authority in carrying out duties imposed by or pursuant to law including not to exceed \$2,200,000 of the funds available for administrative expenses for the United States Housing Act program (all of which are hereby merged into a single administrative expense account), not to exceed \$11,500,000 shall be available for such

Merger of funds.

expenses subject to the provisions of section 6 (b) of the act of September 1, 1937, as amended, 42 U. S. C. 1406 (b), including health service program as authorized by the Act of August 8, 1946 (Public Law 658): *Provided*, That the number of officers and employees receiving compensation in excess of \$4,500 per annum shall not exceed 20 per centum of the total number of officers and employees paid from such funds: *Provided further*, That necessary expenses of providing representatives of the Authority at the sites of non-Federal projects in connection with the construction of such non-Federal projects by public housing agencies with the aid of the Authority, shall be compensated by such agencies by the payment of fixed fees which in the aggregate in relation to the development costs of such projects will cover the costs of rendering such services, and expenditures by the Authority for such purpose shall be considered nonadministrative expenses, and funds received from such payments may be used only for the payment of necessary expenses of providing representatives of the Authority at the sites of non-Federal projects or for administrative expenses of the Authority not in excess of the amount authorized by the Congress: *Provided*, That \$175,000 shall be available only for the audit and revision of past accounting records.

50 Stat. 890.  
60 Stat. 903.  
5 U. S. C. § 150.  
Employees receiving pay in excess of \$4,500.

Nonadministrative expenses.

Audit, etc.

Liquidation of resettlement projects: Not to exceed \$39,500 of the receipts derived from the operation of the projects transferred under paragraphs 1 (g) and 6 of Executive Order 9070 of February 24, 1942 (7 F. R. 1529), shall be available for necessary expenses in connection with and to facilitate disposition of the improved or unimproved lands in the suburban resettlement projects known as Greenbelt, Greendale, and Greenhills, pursuant to the provisions of section 5 of the Emergency Relief Appropriation Act of 1935 (49 Stat. 115), for making surveys, plans, and plats, and expenses of additions, alterations, and improvements to streets and utilities.

50 U. S. C. app. § 601 note.

49 Stat. 118.

Defense Homes Corporation: Not to exceed \$12,300 for the purposes of liquidation, including \$3,000 for payment of terminal leave, shall be available for administrative expenses, which shall be on an accrual basis: *Provided*, That such administrative expenses shall be exclusive of interest paid, depreciation, properly capitalized expenditures, repayment of loans, property operating expenses (including project inventory), charges to surplus and operating reserve, and cost of sales of commodities, services, and property: *Provided further*, That advances of funds made in connection with the operation of housing properties are hereby authorized.

Advances of funds.

Penalty Mail Costs: For deposit in the general fund of the Treasury for the costs of penalty mail for the National Housing Agency, as required by the Act of June 28, 1944 (Public Law 364), not to exceed \$250,000, said sum to be derived by transfer from the funds available for the administrative expenses of the Office of the Administrator and the constituent units of said Agency: *Provided*, That in no event shall any moneys in excess of the costs of penalty mail allocable, respectively, to said Office of the Administrator and to each of said constituent units be transferred hereunder.

58 Stat. 394.  
39 U. S. C. §§ 321c-321h.  
Ante, p. 450.

#### FEDERAL LOAN AGENCY

War Damage Corporation: The Board of Directors of the Corporation shall pay or cause to be paid to the Treasury of the United States \$210,751,618.65 of the amount realized by the Corporation from its operations, such sum to be covered into the Treasury immediately upon the approval of this Act and applied to reduction of the national debt.



## DEPARTMENT OF AGRICULTURE

48 Stat. 344.

**Federal Farm Mortgage Corporation:** Not to exceed \$2,750,000 (to be computed on an accrual basis) of the funds of the Corporation shall be available for administrative expenses, including employment on a contract or fee basis of persons, firms, and corporations for the performance of special services, including legal services, and the use of the services and facilities of Federal land banks, national farm loan associations, Federal Reserve banks, and agencies of the Government as authorized by the Act of January 31, 1934 (12 U. S. C. 1020-1020h); and said total sum shall be exclusive of interest expense, and expenses in connection with the acquisition, operation, maintenance, improvement, protection, or disposition of real or personal property belonging to the Corporation or in which it has an interest: *Provided*, That of the funds available to the Corporation for administrative expenses, not to exceed \$400,000 shall be available for payment to the Farm Credit Administration for supervisory or other services rendered.

**Federal Intermediate Credit Banks:** Not to exceed \$1,250,000 (to be computed on an accrual basis) of the funds of the banks shall be available for administrative expenses, including the purchase of not to exceed ten passenger motor vehicles, services performed for the banks by other Government agencies (except services performed by the banks for cooperatives in connection with loans to cooperative associations rediscounted or pledged with the Federal Intermediate Credit Banks, and services performed by any Federal Reserve bank and by the United States Treasury in connection with the financial transactions of the banks), and not to exceed \$4,000 for penalty mail; and said total sum shall be exclusive of interest expense, legal and special services performed on a contract or fee basis, and expenses in connection with the acquisition, operation, maintenance, improvement, protection, or disposition of real or personal property belonging to the banks or in which they have an interest: *Provided*, That of the funds available to the banks for administrative expenses, not to exceed \$181,250 shall be available for payment to the Farm Credit Administration for supervisory or other services rendered.

**Production Credit Corporations:** Not to exceed \$1,600,000 (to be computed on an accrual basis) of the funds of the corporations shall be available for administrative expenses, including the purchase of not to exceed fifteen passenger motor vehicles, services performed for the corporations by other Government agencies, and not to exceed \$4,000 for penalty mails; and said total sum shall be exclusive of interest expense, legal and special services performed on a contract or fee basis, and expenses in connection with the acquisition, operation, maintenance, improvement, protection, or disposition of real or personal property belonging to the corporations or in which they have an interest: *Provided*, That of the funds available to the corporations for administrative expenses, not to exceed \$232,000 shall be available for payment to the Farm Credit Administration for supervisory or other services rendered.

**Regional Agricultural Credit Corporation of Washington, District of Columbia:** Not to exceed \$200,000 (to be computed on an accrual basis) of the funds of the Corporation shall be available for administrative expenses, including supervision and examination by the Farm Credit Administration and services performed for the Corporation by other Government agencies, and not to exceed \$3,200 for penalty mail; and said total sum shall be exclusive of interest expense, legal and special services performed on a contract or fee basis, and expenses

in connection with the acquisition, operation, maintenance, improvement, protection, or disposition of real or personal property belonging to the Corporation or in which it has an interest: *Provided*, That no other funds shall be available for administrative expenses of the Corporation: *Provided further*, That of the funds available to the Corporation for administrative expenses, not to exceed \$29,000 shall be available for payment to the Farm Credit Administration for supervisory or other services rendered.

Restriction.

## DEPARTMENT OF COMMERCE

Inland Waterways Corporation: Not to exceed \$418,100 shall be available for administrative expenses, to be determined in the manner set forth under the title "General expenses" in the Uniform System of Accounts for Carriers by Water of the Interstate Commerce Commission (effective January 1, 1942), with the exception that the cost of the audit as required by Public Law 248, Seventy-ninth Congress, shall be deemed a nonadministrative expense for the purpose hereof, including not to exceed \$1,200 for penalty mail: *Provided*, That no funds shall be used to pay compensation of employees normally subject to the Classification Act of 1923, as amended, at rates in excess of rates fixed for similar services under the provisions of the Classification Act, as amended, nor to pay the compensation of vessel employees and such terminal and other employees as are not covered by the Classification Act, at rates in excess of rates prevailing in the river transportation industry in the area.

59 Stat. 597.  
31 U. S. C. § 841  
*et seq.*  
*Post*, p. 584.  
Pay rates.  
42 Stat. 1488.  
5 U. S. C. §§ 661-  
674.

Warrior River Terminal Company: Not to exceed \$20,100 shall be available for administrative expenses, to be determined in the manner set forth under the title "Operating expense accounts—general" in the Uniform System of Accounts for Steam Railroads of the Interstate Commerce Commission (issue of 1943) with the exception that the cost of the audit as required by Public Law 248, Seventy-ninth Congress, shall be deemed a nonadministrative expense for the purpose hereof: *Provided*, That, in the event of dissolution of the Company and/or the transfer of its assets to the Inland Waterways Corporation, the funds provided herein shall be transferred and merged with the administrative expenses of the Inland Waterways Corporation for the operation of its facilities.

59 Stat. 597.  
31 U. S. C. § 841  
*et seq.*  
*Post*, p. 584.  
Merger of funds.

## DEPARTMENT OF THE INTERIOR

Virgin Islands Company: Not to exceed \$20,000 (to be computed on an accrual basis) of the funds of the Company shall be available during the fiscal year 1948 for its administrative expenses which shall be determined in accordance with the Company's prescribed accounting system in effect on July 1, 1946, and shall be exclusive of depreciation, interest expense, payment of claims, contribution to the local government in lieu of taxes, expenditures which the Company's prescribed accounting system requires to be capitalized or charged to commodities produced or acquired and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection or disposition of facilities and other property belonging to the Company or in which it has an interest.

The Virgin Islands Company is authorized to borrow from the Treasury of the United States, for the purpose of carrying out any of the programs of the Company set forth in the budget for the fiscal year 1948, sums of money not to exceed a total of \$250,000: *Provided*, That none of the funds borrowed under this authority shall be available

Loans.

for repayment of bank loans outstanding at the date of enactment of this Act. For this purpose the Secretary of the Treasury is authorized and directed to make loans to the Company, out of any funds in the Treasury not otherwise appropriated, on such terms and conditions as the Secretary of the Treasury shall determine. Such loans shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average rate on outstanding marketable obligations of the United States as of the last day of the month preceding the making of the loan to the Company.

#### DEPARTMENT OF JUSTICE

Federal Prison Industries, Incorporated: Not to exceed \$225,000 (to be computed on an accrual basis) of the funds of the Corporation shall be available during the fiscal year 1948 for its administrative expenses, which shall be determined in accordance with the Corporation's prescribed accounting system in effect on July 1, 1946, and shall be exclusive of depreciation, vocational training expenses, payment of claims, expenditures which the said accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the Corporation or in which it has an interest.

#### DEPARTMENT OF STATE

*Post*, p. 623.

The Institute of Inter-American Affairs: Not to exceed \$550,000 (to be computed on an accrual basis) of the funds available to the Corporation shall be available during the fiscal year 1948 for its administrative expenses, including not to exceed \$3,000 shall be available for penalty mail, and the cost of administrative services performed for the Corporation by other Government agencies, which shall be determined in accordance with the Corporation's prescribed accounting system in effect on July 1, 1946, and shall be exclusive of expenditures made outside continental United States, and expenditures which the Corporation's prescribed accounting system requires to be capitalized or charged directly to or directly related to the operating programs: *Provided*, That the total cost of liquidation shall be paid out of funds available to the Corporation without additional appropriations therefor.

Cost of liquidation.

Payment of terminal leave.

Administrative duties.

Liquidation.

Institute of Inter-American Transportation: Not to exceed \$3,000 of the funds available to the Corporation shall be available for payment of terminal leave only: *Provided*, That all administrative duties and responsibilities shall be assumed by such officers and employees of the Department of State as the Secretary of State may designate, and who shall receive no additional compensation for such duties: *Provided further*, That the Secretary of State shall take appropriate steps to secure the final dissolution and liquidation of said Corporation at the earliest practicable date: *Provided further*, That the total cost of liquidation shall be paid out of funds available to the Corporation without additional appropriations therefor.

*Post*, p. 623.

Inter-American Educational Foundation, Inc.: Not to exceed \$250,000 (to be computed on an accrual basis) of the funds available to the Corporation shall be available during the fiscal year 1948 for its administrative expenses, including not to exceed \$1,500 shall be available for penalty mail; including the cost of administrative service performed for the Corporation by other Government agencies, which shall be determined in accordance with the Corporation's prescribed

accounting system in effect on July 1, 1946, and shall be exclusive of expenditures made outside the continental limits of the United States, and expenditures which the Corporation's prescribed accounting system requires to be capitalized or charged directly to or directly related to the operating programs.

Prencinradio, Incorporated: Not to exceed \$2,000 of the funds available to the Corporation shall be available for payment of terminal leave only: *Provided*, That all administrative duties and responsibilities shall be assumed by such officers and employees of the Department of State as the Secretary of State may designate, and who shall receive no additional compensation for such duties: *Provided further*, That the Secretary of State shall take appropriate steps to secure the final dissolution and liquidation of said Corporation at the earliest practicable date: *Provided further*, That the total cost of liquidation shall be paid out of funds available to the Corporation without additional appropriations therefor.

Payment of terminal leave.

Administrative duties.

Liquidation.

### TITLE III

#### GENERAL PROVISIONS

*Ante*, p. 516.

SEC. 301. Funds made available by this Act for administrative expenses shall be available, in addition to objects for which such funds are otherwise available, for personal services and rent in the District of Columbia; printing and binding; examination of budgets and estimates of appropriations in the field; travel expenses in accordance with the Standardized Government Travel Regulations, the Subsistence Expense Act of 1926, as amended (except as to per diem rates outside continental United States), and the Act of February 14, 1931, as amended (5 U. S. C. 73a); for the objects specified under the head "General provisions" in title II of the Independent Offices Appropriation Act, 1948, all the provisions of which title unless otherwise specified in this Act, shall be applicable to the expenditure of such funds; and services in accordance with section 15 of the Act of August 2, 1946 (Public Law 600).

Funds for administrative expenses.

Travel expenses.

44 Stat. 688.  
5 U. S. C. § 821.  
46 Stat. 1103.

*Post*, p. 608.

60 Stat. 810.  
5 U. S. C. § 55a.

Use of funds of Government corporations for construction, etc.

SEC. 302. No part of any funds of any wholly owned Government corporation shall be used for the purchase or construction, or in making loans for the purchase or construction of any office building at the seat of government primarily for occupancy by any department or agency of the United States Government or by any corporation owned by the United States Government.

Claims.

SEC. 303. Funds of the corporations and agencies covered by the provisions of this Act shall be available for payment of claims settled in accordance with part 2 of the Federal Tort Claims Act.

60 Stat. 843.  
28 U. S. C. §§ 921,  
922.  
Accounting, etc.

SEC. 304. Any funds of, or available for expenditure by, any corporation or agency included in this Act, which are not subject to audit by the General Accounting Office under the provisions of the Government Corporation Control Act (Public Law 248, Seventy-ninth Congress) or other law, shall be accounted for and audited in accordance with the Budget and Accounting Act, as amended, and no such fund shall be obligated or expended unless and until an appropriate appropriation account shall have been established therefor pursuant to an appropriation warrant or a covering warrant: *Provided*, That this section shall not be so construed as to modify or repeal any provision of any other law respecting warranting, accounting for, and auditing of funds.

59 Stat. 597.  
31 U. S. C. § 841  
*et seq.*  
*Post*, p. 584.  
42 Stat. 20.  
31 U. S. C. § 1.

SEC. 305. No part of the funds of, or available for expenditure by, any corporation or agency included in this Act shall be used to pay the salary or wages of any person who engages in a strike against

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

Affidavit.

Penalty.

Transfer of title,  
etc.  
*Post*, p. 697.

Final determination  
of property value.

40 Stat. 1269.

59 Stat. 598.  
31 U. S. C. § 849.

Appropriations for  
operating and admin-  
istrative expenses.

48 Stat. 71.  
16 U. S. C. § 831y.

the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any funds available to any corporation or agency included in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing laws.

SEC. 306. Title to all office buildings at the seat of government, which are owned by wholly owned Government corporations, and all right, title, or interest of such corporations in the land upon which such buildings are located are hereby transferred to the United States, and the Secretary of the Treasury is authorized and directed to discharge the indebtedness to the Treasury of any corporation holding such rights, title, or interests in any such land or building to the value thereof as determined by the Secretary of the Treasury as of the date of transfer: *Provided*, That in case of disagreement on the part of the head of the Corporation with respect to said value as determined, the Administrator of the Federal Works Agency shall make a final determination of the property value. Hereafter, such buildings shall be controlled and managed in the same manner as prescribed in the Act of March 1, 1919, as amended (40 U. S. C. 1). Wholly owned Government corporations requiring space in office buildings at the seat of government shall occupy only such space as may be allotted in accordance with the provisions of such Act of March 1, 1919, as amended (40 U. S. C. 1), and shall pay such rental thereon as may be determined by the Federal Works Administrator, such rental to include all cost of maintenance, upkeep, and repair.

SEC. 307. Section 104 of the Government Corporation Control Act (Public Law 248, Seventy-ninth Congress) is hereby amended to read as follows:

"SEC. 104. The Budget programs transmitted by the President to the Congress shall be considered and legislation shall be enacted making necessary appropriations, as may be authorized by law, making available for expenditure for operating and administrative expenses such corporate funds or other financial resources or limiting the use thereof as the Congress may determine and providing for repayment of capital funds and the payment of dividends. The provisions of this section shall not be construed as preventing Government corporations from carrying out and financing their activities as authorized by existing law, nor as affecting the provisions of section 26 of the Tennessee Valley Authority Act, as amended. The provisions of this section shall

not be construed as affecting the existing authority of any Government corporation to make contracts or other commitments without reference to fiscal year limitations."

SEC. 308. This Act may be cited as "The Government Corporations Appropriation Act, 1948".

Approved July 30, 1947.

Short title.

[CHAPTER 359]

AN ACT

Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1948, and for other purposes.

July 30, 1947  
[H. R. 3839]  
[Public Law 269]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1948, namely:

Independent Offices  
Appropriation Act,  
1948.  
*Ante*, pp. 118, 187,  
188, 244, 245, 361;  
*post*, pp. 607, 608, 609,  
612, 606, 697.

TITLE I

EXECUTIVE OFFICE OF THE PRESIDENT

COMPENSATION OF THE PRESIDENT

For compensation of the President of the United States, \$75,000.

THE WHITE HOUSE OFFICE

Salaries and expenses: For expenses necessary for The White House Office, including compensation of the Secretary to the President, the two additional secretaries to the President and the six administrative assistants to the President at \$10,000 each, and other personal services in the District of Columbia; not to exceed \$2,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944; automobiles; printing and binding; and travel and official entertainment expenses of the President, to be accounted for on his certificate solely, \$952,500: *Provided*, That employees of the departments and independent offices of the executive branch of the Government may be detailed from time to time to The White House Office for temporary assistance.

58 Stat. 394.  
39 U. S. C. §§ 321c-  
321h.  
*Ante*, p. 450.

Temporary assist-  
ance.

EMERGENCY FUND FOR THE PRESIDENT

For expenses necessary to provide additional assistance to the President and to enable him, through such agents or agencies of the Government as he shall designate, to provide for emergencies affecting the national interest or security, without regard to such provisions of law regulating the expenditure of Government funds or the employment of persons in the Government service as he shall specify, \$500,000, of which not to exceed \$70,000 may be allocated for the President's Amnesty Board, and of which \$100,000 may, when authorized by the President, be expended for objects of a confidential nature and in any such case the certificate of the expending agency as to the amount of the expenditure and that it is deemed inadvisable to specify the nature thereof shall be deemed a sufficient voucher for the sum therein expressed to have been expended: *Provided*, That no part of such fund shall be available for allocation to finance a function or project for which function or project a budget estimate of appropriation was

Additional assist-  
ance.

Amnesty Board.  
Objects of confi-  
dential nature.

Restriction.

transmitted pursuant to law during the Eightieth Congress and such appropriation denied after consideration thereof by the Senate or House of Representatives or by the Committee on Appropriations of either body.

#### EXECUTIVE MANSION AND GROUNDS

For the care, maintenance, repair and alteration, refurnishing, improvement, heating and lighting, including electric power and fixtures, of the Executive Mansion and the Executive Mansion grounds, and traveling expenses, to be expended as the President may determine, notwithstanding the provisions of any other Act, \$202,250.

#### BUREAU OF THE BUDGET

Salaries and expenses: For expenses necessary for the Bureau of the Budget and Federal Board of Hospitalization, including personal services in the District of Columbia and elsewhere; exchange of books; newspapers and periodicals (not exceeding \$200); teletype news service (not exceeding \$900); not to exceed \$744 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944; not to exceed \$32,000 for services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600) at rates not to exceed \$35 (unless a higher rate, not exceeding \$50, shall be approved by the Director of the Bureau of the Budget) per diem for individuals; purchase of one passenger motor vehicle for replacement only; a health-service program as authorized by the Act of August 8, 1946 (Public Law 658); and the payment of claims pursuant to part 2 of the Federal Tort Claims Act (Public Law 601); \$3,254,608.

For printing and binding, \$122,000.

No part of the appropriations herein made to the Bureau of the Budget shall be used for the maintenance or establishment of more than four regional, field, or any other offices outside the District of Columbia.

#### COUNCIL OF ECONOMIC ADVISERS

Salaries and expenses: For necessary expenses, of the Council in carrying out its functions under the Employment Act of 1946 (Public Law 304), including printing and binding, and not to exceed \$900 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944; \$350,000.

#### OFFICE FOR EMERGENCY MANAGEMENT

##### PHILIPPINE ALIEN PROPERTY ADMINISTRATION

Administrative expenses, Philippine Alien Property Administration: The Philippine Alien Property Administrator is hereby authorized to pay out of any funds or other property or interest vested in him or transferred to him, necessary expenses incurred in carrying out the powers and duties conferred on him pursuant to the Trading With the Enemy Act, as amended (50 U. S. C. App.), and the Philippine Property Act of 1946 (60 Stat. 418): *Provided*, That not to exceed \$440,000 shall be available for the fiscal year 1948 for the general administrative expenses of the Philippine Alien Property Administration, including the salary of the Administrator at \$10,000 per annum; printing and binding; not to exceed \$400 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944; rent in the District of Columbia; employment outside the United States of persons without regard to the civil service and classification laws including temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); personal services in the District of Columbia and

58 Stat. 394.  
39 U. S. C. §§ 321c-321h.

*Ante*, p. 450.  
60 Stat. 810.  
5 U. S. C. § 55a.

60 Stat. 903.  
5 U. S. C. § 150.

60 Stat. 843.  
28 U. S. C. §§ 921, 922.

Regional, etc., offices.

60 Stat. 23.  
15 U. S. C. §§ 1021-1024.

58 Stat. 394.  
39 U. S. C. §§ 321c-321h.

*Ante*, p. 450.  
*Post*, p. 612.

40 Stat. 411.  
50 U. S. C. app. §§ 1-31.  
22 U. S. C. §§ 1381-1386.

58 Stat. 394.  
39 U. S. C. §§ 321c-321h.

*Ante*, p. 450.

60 Stat. 810.  
5 U. S. C. § 55a.

expenses of attendance at meetings of organizations concerned with the work of the agency: *Provided further*, That on or before November 1, 1947, the Philippine Alien Property Administrator shall make a report to the Appropriations Committees of the Senate and the House of Representatives giving detailed information on all administrative and nonadministrative expenses incurred during the fiscal year 1947, in connection with the activities of the Philippine Alien Property Administration.

Report to Congress.

#### WAR ASSETS ADMINISTRATION

*Ante*, p. 422.

Salaries and expenses: There is hereby appropriated from the special fund account in the Treasury as provided for in the First Deficiency Appropriation Act, 1946, not to exceed \$257,149,270 for the fiscal year 1948 for necessary expenses of the War Assets Administration established by Executive Order 9689; for allocation or reimbursement by the War Assets Administrator to Government agencies designated by the Administrator as disposal agencies by or pursuant to the Surplus Property Act of 1944, and for payment to Government agencies designated by the Administrator for rendering special services in connection with the disposal of surplus property, in such amounts as shall be approved by the Bureau of the Budget; and for allocation or reimbursement to owning agencies for the care and handling (including pay and allowances and subsistence of military and naval personnel) of surplus property subsequent to the filing of a declaration of surplus covering such property with a disposal agency designated by the Administrator, or, if the Administrator prescribes procedures whereby declarations of surplus are made at approximately the time of disposal or removal, subsequent to notice by the owning agency to the disposal agency that property has been determined to be surplus and is subject to such procedures, such funds to be available for personal services in the District of Columbia; fees and mileage of witnesses at rates provided by law for witnesses attending in the United States courts (28 U. S. C. 600c); payment of claims pursuant to part 2 of the Federal Tort Claims Act of August 2, 1946 (Public Law 601); services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), and other special services and reports by contract without regard to section 3709 of the Revised Statutes, as amended; for a health service program as authorized by Public Law 658, approved August 8, 1946 (not to exceed \$154,000) acceptance and utilization of voluntary and uncompensated services; printing and binding; expenses of attendance at meetings of organizations concerned with the work of the Administration; procurement in the field of supplies, equipment, reports, and services in connection with the care, handling, and disposition of surplus property without regard to the provisions of section 3709 of the Revised Statutes, as amended, upon determination by the Administrator or by any official designated by him for this purpose that such method of procurement is necessary; purchase and procurement of reports of experts or consultants or organizations thereof; advertising, including radio time; purchase of passenger motor vehicles; maintenance, operation, and repair of aircraft in the Territories and possessions in connection with disposal activities and, in the continental limits of the United States in connection with the disposition of aircraft and airports; acquisition of buildings, lands, leaseholds, and other interests therein, and temporary use thereof for the care, handling, and disposition of surplus property; payments to States or political subdivisions thereof of sums in lieu of and equivalent to taxes accruing against real property declared surplus to the Administration by Government corporations; advance of funds to Administration cashiers

59 Stat. 632.

3 CFR, 1946 Supp., p. 93.

58 Stat. 765.  
50 U. S. C. app.  
§§ 1611-1646.  
*Post*, p. 678.

60 Stat. 843.  
28 U. S. C. §§ 921,  
922.  
60 Stat. 810.  
5 U. S. C. § 55a.  
41 U. S. C. § 5.

60 Stat. 903.  
5 U. S. C. § 150.

41 U. S. C. § 5.

Acquisition of buildings, etc.



Administration of  
oaths, etc.

Supplies and facilities  
for designated employees.

and collection officials upon furnishing bond, for the purpose of handling cash transactions and making change at surplus property sales: *Provided*, That any employee of the War Assets Administration is authorized, when designated for the purpose by the Administrator, to administer to or take from any person an oath, affirmation, or affidavit, when such instrument is required in connection with the performance of the functions or activities of the War Assets Administration: *Provided further*, That the Administration may procure by contract or otherwise and furnish to governmental employees and employees of Government contractors at the reasonable value thereof food, meals, subsistence, and medical supplies, emergency medical services, quarters, heat, light, household equipment, laundry service, and sanitation facilities, and erect temporary structures and make alterations in existing structures necessary for these purposes, when such employees are engaged in the disposal of surplus property, or in the preparation for such disposal, at locations where such supplies, services, equipment, or facilities are otherwise unavailable, the proceeds derived therefrom to be credited to this appropriation.

*Ante*, p. 244.

#### OFFICE OF GOVERNMENT REPORTS

58 Stat. 394.  
39 U. S. C. §§ 321c-321h.  
*Ante*, p. 450.  
60 Stat. 810.  
5 U. S. C. § 55a.  
60 Stat. 903.  
5 U. S. C. § 150.  
60 Stat. 843.  
28 U. S. C. §§ 921, 922.  
Salary restriction.  
*Ante*, p. 243.

Salaries and expenses: For expenses necessary for the Office of Government Reports, including personal services in the District of Columbia; newspapers and periodicals (not exceeding \$500); teletype news service (not exceeding \$900); printing and binding; not to exceed \$1,000 for deposit in general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944; not to exceed \$500 for services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); health service program as authorized by the Act of August 8, 1946 (Public Law 658); and the payment of claims pursuant to part 2 of the Federal Tort Claims Act (Public Law 601); \$230,000: *Provided*, That no person paid from this appropriation shall receive a salary in excess of \$7,500 per annum: *Provided further*, That amounts expended under the authority of Public Law 161, Eightieth Congress, shall be deducted from the appropriation herein made for the fiscal year 1948.

#### INDEPENDENT OFFICES

*Post*, p. 696.

#### AMERICAN BATTLE MONUMENTS COMMISSION

58 Stat. 394.  
39 U. S. C. §§ 321c-321h.  
*Ante*, p. 450.

Station allowance.

Salaries and expenses: For necessary expenses, including the acquisition of land or interest in land in foreign countries; personal services in the District of Columbia; purchase and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its Territories and possessions at a cost not exceeding \$750; travel expenses; not to exceed \$50 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944; rent of office and garage space in foreign countries; the purchase of one passenger motor vehicle; printing, binding, engraving, lithographing, photographing, and typewriting; \$312,000: *Provided*, That where station allowance has been authorized by the War Department for officers of the Army serving the Army at certain foreign stations, the same allowance shall be authorized for officers of the armed forces assigned to the Commission while serving at the same foreign stations, and this appropriation is hereby made available for the payment of such allowance.

## ATOMIC ENERGY COMMISSION

For expenses necessary to carry out the purposes of the Atomic Energy Act of 1946, including personal services in the District of Columbia and employment of aliens; purchase of land and interests in land; services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); purchase of passenger motor vehicles, including two at not to exceed \$2,500 each; purchase, maintenance, and operation of aircraft; printing and binding; health-service program as authorized by the Act of August 8, 1946 (Public Law 658); publication and dissemination of atomic information; not to exceed \$100,000 for penalty mail costs as required by the Act of June 28, 1944; payment of claims determined and settled pursuant to part 2 of the Federal Tort Claims Act of August 2, 1946 (Public Law 601); and purchase, repair, and cleaning of uniforms; \$175,000,000, of which amount there shall be available to the Commission for cancer research work such sums (not exceeding \$5,000,000) as the Commission believes can be efficiently used without duplicating the cancer research work of other public and private agencies; and of which amount \$200,000 may be expended for objects of a confidential nature and in any such case the certificate of the Commission as to the amount of the expenditure and that it is deemed inadvisable to specify the nature thereof shall be deemed a sufficient voucher for the sum therein expressed to have been expended; from which appropriation transfers of sums may be made to other agencies of the Government for the performance of the work for which this appropriation is made, and in such cases the sums so transferred may be merged with the appropriation to which transferred; and in addition to the amount herein provided, the Commission is authorized to contract for the purposes of this appropriation during the fiscal year in an amount not exceeding \$250,000,000: *Provided*, That no part of this appropriation shall be used after November 30, 1947, to pay the salary of any officer or employee (except such officers and employees whose compensation is fixed by law, and scientific and technical personnel) whose position would be subject to the Classification Act of 1923, as amended, if such Act were applicable to such position, at a rate in excess of the rate payable under such Act for positions of equivalent difficulty or responsibility.

## CIVIL SERVICE COMMISSION

Salaries and expenses: For necessary expenses, including personal services in the District of Columbia; not to exceed \$10,000 for temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); not to exceed \$10,000 for medical examinations performed for veterans by private physicians on a fee basis; traveling expenses of examiners acting under the direction of the Commission, and expenses of examinations and investigations held in Washington and elsewhere; not to exceed \$500 for payment in advance for library membership in societies whose publications are available to members only or to members at a price lower than to the general public; not to exceed \$350,000 for printing and binding; \$12,000,000, of which not to exceed \$56,000 shall be available for performing the duties imposed upon the Civil Service Commission by the Act of July 19, 1940 (54 Stat. 767); not to exceed \$362,198 for deposit in the general fund of the Treasury for cost of penalty

60 Stat. 755.  
42 U. S. C. §§ 1801-1819.

60 Stat. 810.  
5 U. S. C. § 55a.

60 Stat. 903.  
5 U. S. C. § 150.

58 Stat. 394.  
39 U. S. C. §§ 321e-321h.

*Ante*, p. 450.

60 Stat. 843.  
28 U. S. C. §§ 921, 922.  
Commission for cancer research.

Objects of confidential nature.

Transfer of funds.

Additional amount for contract.

Salary restriction.

42 Stat. 1488.  
5 U. S. C. §§ 661-674.

*Post*, p. 696.

60 Stat. 810.  
5 U. S. C. § 55a.

Printing and binding.

18 U. S. C. §§ 61a, 61b, 61d-61t.

58 Stat. 394.  
39 U. S. C. §§ 321c-  
321h.  
*Ante*, p. 450.  
60 Stat. 903.  
5 U. S. C. § 150.  
60 Stat. 843.  
28 U. S. C. §§ 921,  
922.  
41 U. S. C. § 5.  
Details.

Emergency trans-  
fers or details.

Legal Examining  
Unit.

3 CFR, 1943 Supp.,  
p. 30.  
Compensation of  
officers allocating su-  
pervisory positions,  
etc.

mail as required by the Act of June 28, 1944; for a health service program as authorized by the Act of August 8, 1946 (Public Law 658); for payment of claims under part 2 of the Federal Tort Claims Act of August 2, 1946 (Public Law 601); and not to exceed \$5,000 for actuarial services by contract, without regard to section 3709, Revised Statutes, as amended: *Provided*, That no details from any executive department or independent establishment in the District of Columbia or elsewhere to the Commission's central office in Washington or to any of its regional offices shall be made during the fiscal year ending June 30, 1948, but this shall not affect the making of details for service as members of the boards of examiners outside the immediate offices of the Commission in Washington or of the regional directors, nor shall it affect the making of details of persons qualified to serve as expert examiners on special subjects: *Provided further*, That the Civil Service Commission shall have power in case of emergency to transfer or detail any of its employees to or from its office or field force.

No part of the appropriations herein made to the Civil Service Commission shall be available for the salaries and expenses of the Legal Examining Unit in the Examining and Personnel Utilization Division of the Commission, established pursuant to Executive Order Numbered 9358 of July 1, 1943.

No part of appropriations herein shall be used to pay the compensation of officers and employees of the Civil Service Commission who allocate or reallocate supervisory positions in the classified civil service solely on the size of the group, section, bureau, or other organization unit, or on the number of subordinates supervised. References to size of the group, section, bureau, or other organization unit or the number of subordinates supervised may be given effect only to the extent warranted by the work load of such organization unit and then only in combination with other factors, such as the kind, difficulty, and complexity of work supervised, the degree and scope of responsibility delegated to the supervisor, and the kind, degree, and value of the supervision actually exercised.

#### PANAMA CANAL CONSTRUCTION ANNUITY FUND

58 Stat. 257.  
48 U. S. C. §§ 1373-  
1373g.

Panama Canal construction annuity fund: For payment of annuities authorized by the Act of May 29, 1944 (Public Law 319), \$1,910,000.

#### CIVIL-SERVICE RETIREMENT AND DISABILITY FUND

41 Stat. 614.  
5 U. S. C. § 691 *et*  
*seq.*  
*Ante*, pp. 135, 453.

For financing the liability of the United States, created by the Act approved May 22, 1920, and Acts amendatory thereof (5 U. S. C. chap. 14), \$244,000,000, which amount shall be placed to the credit of the "civil-service retirement and disability fund".

#### CANAL ZONE RETIREMENT AND DISABILITY FUND

46 Stat. 1471.  
48 U. S. C. §§ 1371-  
1371p.  
*Post*, p. 743.

For financing the liability of the United States, created by the Act approved March 2, 1931, and Acts amendatory thereof (48 U. S. C. 1371n), \$1,177,000, which amount shall be placed to the credit of the "Canal Zone retirement and disability fund".

#### ALASKA RAILROAD RETIREMENT AND DISABILITY FUND

5 U. S. C. §§ 745-  
745r.

For financing the liability of the United States created by the Act approved June 29, 1936 (49 Stat. 2017), \$217,000, which amount shall be placed to the credit of the "Alaska Railroad retirement and disability fund."

## FEDERAL COMMUNICATIONS COMMISSION

Salaries and expenses: For necessary expenses in performing the duties imposed by the Communications Act of 1934, approved June 19, 1934 (48 Stat. 1064), the Ship Act of 1910, approved June 24, 1910, as amended (46 U. S. C. 484-487,) the International Radiotelegraphic Convention (45 Stat., pt. 2, p. 2760), Executive Order 3513, dated July 9, 1921, as amended under date of June 30, 1934, relating to applications for submarine cable licenses, and the radiotelegraphy provisions of the Convention for Promoting Safety of Life at Sea, ratified by the President July 7, 1936, including contract stenographic reporting services, special counsel fees, health service program as authorized by Act of August 8, 1946 (Public Law 658), improvement and care of grounds and repairs to buildings (not to exceed \$17,500), purchase of eighteen passenger motor vehicles, travel expenses (not to exceed \$122,500), not to exceed \$18,600 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364), reimbursements to ships of the United States for charges incurred by such ships in transmitting information in compliance with section 357 of the Communications Act of 1934, as amended, \$6,200,000, of which amount not to exceed \$3,612,500 may be expended for personal services in the District of Columbia.

Printing and binding: For printing and binding for the Federal Communications Commission, \$40,000.

## FEDERAL POWER COMMISSION

Salaries and expenses: For expenses necessary for the work of the Commission as authorized by law except for the work authorized by the Act of June 28, 1938 (33 U. S. C. 701j), and sections 10 and 12 of the Act of December 22, 1944 (Public Law 534) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, including the health service program as authorized by the Act of August 8, 1946 (Public Law 658); payment of claims under part 2 of the Federal Tort Claims Act of August 2, 1946 (Public Law 601); purchase of five and hire of passenger motor vehicles, \$3,590,000; of which amount not to exceed \$2,082,000 shall be available for personal services in the District of Columbia exclusive of not to exceed \$10,000 for special counsel and temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), but at rates not exceeding \$35 (unless a higher rate, not exceeding \$50, shall be approved by the Director of the Bureau of the Budget) per diem for individuals.

Flood-control surveys: For expenses necessary for the work of the Commission as authorized by the Act of June 28, 1938 (33 U. S. C. 701j), and sections 10 and 12 of the Act of December 22, 1944 (Public Law 534), including contract stenographic reporting services; \$266,500, of which amount not to exceed \$114,900 shall be available for personal services in the District of Columbia.

For printing and binding, including engraving, lithographing, and photolithographing, \$54,000.

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944, \$7,500.

## FEDERAL TRADE COMMISSION

Salaries and expenses: For necessary expenses, including personal services in the District of Columbia; health service program as authorized by Act of August 8, 1946 (Public Law 658); payment of claims

47 U. S. C. § 151  
*et seq.*  
*Ante*, pp. 450, 451,  
454.  
36 Stat. 629.

50 Stat. 1146.

60 Stat. 903.  
5 U. S. C. § 150.

58 Stat. 394.  
39 U. S. C. § 321d.

50 Stat. 195.  
47 U. S. C. § 357.

52 Stat. 1215; 58  
Stat. 891, 904.  
33 U. S. C. § 701b  
*et seq.*

60 Stat. 903.  
5 U. S. C. § 150.  
60 Stat. 843.  
28 U. S. C. §§ 921,  
922.

60 Stat. 810.  
5 U. S. C. § 55a.

*Supra*.

58 Stat. 394.  
39 U. S. C. §§ 321e-  
321h.  
*Ante*, p. 450.

60 Stat. 903.  
5 U. S. C. § 150.

60 Stat. 843.  
28 U. S. C. §§ 921,  
922.

58 Stat. 394.  
39 U. S. C. § 321d.

54 Stat. 1128.  
15 U. S. C. §§ 68-  
68j.

determined and settled pursuant to part 2 of the Federal Tort Claims Act (Act of August 2, 1946, Public Law 601); contract stenographic reporting services; newspapers not to exceed \$500; not to exceed \$8,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944; and purchase of one passenger motor vehicle; \$2,900,120, of which not less than \$228,695 shall be available for the enforcement of the Wool Products Labeling Act: *Provided*, That no part of the funds appropriated herein for the Federal Trade Commission shall be expended upon any investigation hereafter provided by concurrent resolution of the Congress until funds are appropriated subsequently to the enactment of such resolution to finance the cost of such investigation.

Printing and binding: For all printing and binding for the Federal Trade Commission, \$55,000.

## FEDERAL WORKS AGENCY

*Ante*, p. 422.

### OFFICE OF THE ADMINISTRATOR

60 Stat. 903.  
5 U. S. C. § 150.

60 Stat. 810.  
5 U. S. C. § 55a.

Salaries and expenses: For salaries and expenses in the Office of the Administrator in the District of Columbia, including the salaries of an Assistant Administrator and a general counsel at \$10,000 each per annum; printing and binding (not to exceed \$6,000); purchase of newspapers and periodicals (not to exceed \$150); health service program as authorized by the Act of August 8, 1946 (Public Law 658); preparation, shipment, and installation of photographic displays, exhibits, and other descriptive materials; purchase of one passenger motor vehicle (not to exceed \$2,500); travel expenses; not to exceed \$4,000 for temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600) but at rates for individuals not in excess of \$35 (unless a higher rate, not exceeding \$50, shall be approved by the Director of the Bureau of the Budget) per diem; \$344,540.

58 Stat. 602; 59 Stat.  
80, 638; 60 Stat. 611.

Public Works Administration liquidation: The funds made available for "Public Works Administration liquidation" by the Second Deficiency Appropriation Act, 1944, as amended by the First Deficiency Appropriation Act, 1945, the First Deficiency Appropriation Act, 1946, and the Third Deficiency Appropriation Act, 1946, are hereby continued available until June 30, 1948, of which not to exceed \$33,000 shall be available for administrative expenses during the fiscal year 1948.

58 Stat. 394.  
39 U. S. C. §§ 321c-  
321h.

*Ante*, p. 450.  
60 Stat. 842.  
28 U. S. C. §§ 921,  
922, 931-934, 941-945.  
*Post*, p. 722.

*Post*, p. 697.

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail of the Federal Works Agency as required by the Act of June 28, 1944, \$30,000.

Damage claims: For claims arising from the activity of the Federal Works Agency, determined and settled pursuant to the Federal Tort Claims Act, \$10,000.

### PUBLIC BUILDINGS ADMINISTRATION

Repair, operation,  
etc.  
35 Stat. 537.

For carrying into effect the provisions of the Public Buildings Acts, as provided in section 6 of the Act of May 30, 1908 (31 U. S. C. 683), and for the repair, preservation, and upkeep of all completed public buildings under the control of the Federal Works Agency, the mechanical equipment and the grounds thereof, and sites acquired for buildings, and for the operation of certain completed and occupied buildings under the control of the Federal Works Agency, including furniture and repairs thereof, but exclusive, with respect to operation, of buildings of the United States Coast Guard, of hospitals, quarantine

stations, and other Public Health Service buildings, mints, bullion depositories, and assay offices, and buildings operated by the Treasury and Post Office Departments in the District of Columbia:

General administrative expenses: For necessary expenses of the Public Buildings Administration, including personal services in the District of Columbia, and printing and binding (not to exceed \$32,500); ground rent of the Federal buildings at Salamanca, New York, and Columbus, Mississippi, for which payment may be made in advance; \$2,160,500: *Provided*, That the foregoing appropriations shall not be available for the cost of surveys, plaster models, progress photographs, test pits and borings, or mill and shop inspections, but the cost thereof shall be construed to be chargeable against the construction appropriations of the respective projects to which they relate.

Repair, preservation, and equipment, outside the District of Columbia: For the repair, alteration, improvement, preservation, and equipment, not otherwise provided for, of completed Federal buildings, the grounds and approaches thereof, wharves, and piers, together with the necessary dredging adjacent thereto, and care and safeguarding of sites acquired for Federal buildings and of surplus real property, the custody of which is the responsibility of the Public Buildings Administration under the Act of August 27, 1935, pending sale or disposition; the demolition of buildings thereon; the purchase and repair of equipment and fixtures in buildings under the administration of the Federal Works Agency; and for changes in, maintenance of, and repairs to the pneumatic-tube system in New York City installed under franchise of the city of New York, approved June 29, 1909, and June 11, 1928, and the payment of any obligations arising thereunder in accordance with the provisions of the Acts approved August 5, 1909 (36 Stat. 120), and May 15, 1928 (45 Stat. 533); \$10,000,000: *Provided*, That the total expenditures for the fiscal year for the repair and preservation of buildings not reserved by the vendors on sites acquired for buildings or the enlargement of buildings and the installation and repair of the mechanical equipment thereof shall not exceed 20 per centum of the annual rental of such buildings.

Salaries and expenses, public buildings and grounds in the District of Columbia and adjacent area: For expenses necessary for the administration, protection, maintenance, and improvement of public buildings and grounds in the District of Columbia and the area adjacent thereto, maintained and operated by the Public Buildings Administration, including repair, preservation, and equipment of buildings operated by the Treasury and Post Office Departments in the District of Columbia; rent of buildings; demolition of buildings; expenses incident to moving various executive departments and establishments in connection with the assignment, allocation, transfer, and survey of building space; traveling expenses; health service program as authorized by the Act of August 8, 1946 (Public Law 658); the purchase of two passenger motor vehicles; furnishings and equipment; arms and ammunition for the guard force; purchase, repair, and cleaning of uniforms for guards and elevator conductors; \$29,715,000: *Provided*, That all furniture now owned by the United States in other public buildings or in buildings rented by the United States shall be used, so far as practicable, whether or not it corresponds with the present regulation plan for furniture.

Salaries and expenses, public buildings and grounds outside the District of Columbia: For expenses necessary for the administration, operation, protection, and maintenance of public buildings and grounds outside the District of Columbia maintained and operated by the Public Buildings Administration, including cleaning, heating,

49 Stat. 885.  
40 U. S. C. §§ 304a-304e.

Pneumatic-tube system, New York City.

Limitation.

60 Stat. 903.  
5 U. S. C. § 150.

Use of present furniture.

lighting, rental of buildings and equipment, supplies, materials, furnishings and equipment, personal services in the District of Columbia, arms, ammunition, uniforms for guards and elevator conductors, expenses incident to moving Government agencies in connection with the assignment, allocation, and transfer of building space, the restoration of leased premises, \$20,608,000: *Provided*, That all furniture now owned by the United States in other public buildings or in buildings rented by the United States shall be used, so far as practicable, whether or not it corresponds with the present regulation plan for furniture.

**Use of present furniture.** Under the appropriations for salaries and expenses, public buildings and grounds in and outside the District of Columbia, per diem employees may be paid at rates approved by the Commissioner of Public Buildings not exceeding current rates for similar services in the place where such services are employed, and such employees in emergencies may be entered on duty subject to confirmation by the Federal Works Administrator.

**Per diem employees.** The appropriations for salaries and expenses, public buildings and grounds in and outside the District of Columbia, shall be available for printing and binding and for communication services serving one or more governmental activities, and for services to motor vehicles, and where such services, together with quarters, maintenance, or other services, are furnished on a reimbursable basis to any governmental activity, such activity shall make payment therefor promptly by check upon the request of the Public Buildings Administration, either in advance or after the service has been furnished, for deposit to the credit of the applicable appropriation, of all or part of the estimated or actual cost thereof, as the case may be, proper adjustment upon the basis of actual cost to be made for services paid for in advance.

**Communication services.** Return of departmental functions to the seat of government: For all expenses, including personal services in the District of Columbia and travel and other expenses of the Public Buildings Administration incident thereto, necessary to provide for the transfer to the seat of government of such bureaus, offices, agencies, or activities of the Federal Government as are designated from time to time by the President, which were removed from, or established at places other than, the seat of government by reason of the national emergency, including the expenses of travel of employees transferred; transportation of immediate families of employees; the expenses of packing, crating, drayage, transportation, temporary storage, unpacking, and uncrating of household goods and personal effects, in accordance with regulations approved by the President; and the payment to employees of special allowances at \$5 per day after arrival at destination for six days for employees, plus \$2.50 per day additional for six days for each member of immediate families of employees; \$900,000, to remain available until expended: *Provided*, That removal to the seat of government of Government-owned or leased furniture, equipment, supplies, and other property and household goods and personal effects of employees, and costs of restoration of leased office space when required, may be accomplished without regard to section 3709 of the Revised Statutes: *Provided further*, That such sums as may be determined by the Commissioner of Public Buildings to be necessary therefor may be transferred to other agencies concerned for the payment to the transferred employees of the allowances mentioned herein.

**Services to motor vehicles.** Site and building, west central heating plant, Washington, District of Columbia: For an additional amount for "Site and building, west central heating plant, Washington, District of Columbia", including the objects specified under this head in the First Supplemental Civil

**Transfer of bureaus, etc.**

**Furniture, etc.**

**41 U. S. C. § 5. Transfer of funds.**

Functions Appropriation Act, 1941, and as authorized by the Acts of December 23, 1941 (Public Law 371), and June 14, 1946 (Public Law 413), \$1,250,000, to remain available until expended.

54 Stat. 1036.  
55 Stat. 856; 60 Stat. 257.

Hospital center, District of Columbia: For preliminary expenses, including acquisition of site, necessary in carrying out the provisions of the Act of August 7, 1946 (Public Law 648), \$1,700,000, to remain available until expended: *Provided*, That if the site selected by the Federal Works Administrator is under Government ownership, said site shall be transferred to the said Administrator, without exchange of funds.

60 Stat. 896.

National Institute of Mental Health: For the acquisition of site or sites, the preparation of drawings and specifications, and the performance of other work for the accomplishment thereof for the National Institute of Mental Health, as authorized by section 11 of the Act of July 3, 1946 (Public Law 487), \$850,000, to remain available until expended.

60 Stat. 425.  
42 U. S. C. § 222.

Funds available to the Public Building Administration for construction shall be available for temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), at rates for individuals not in excess of \$35 (unless a higher rate, not exceeding \$50, shall be approved by the Director of the Bureau of the Budget) per diem.

60 Stat. 810.  
5 U. S. C. § 55a.

#### PUBLIC ROADS ADMINISTRATION

General administrative expenses: For the employment of persons and means, including rent, advertising (including advertising in the city of Washington for work to be performed in areas adjacent thereto), printing and binding (not to exceed \$49,600), purchase of periodicals, purchase of one hundred passenger motor vehicles, health service program as authorized by Act of August 8, 1946 (Public Law 658), and the preparation, distribution, and display of exhibits, in the city of Washington and elsewhere for the purpose of conducting research and investigational studies, either independently or in cooperation with State highway departments, or other agencies, including studies of highway administration, legislation, finance, economics, transport, construction, operation, maintenance, utilization, and safety, and of street and highway traffic control; investigations and experiments in the best methods of road making, especially by the use of local materials; and studies of types of mechanical plants and appliances used for road building and maintenance, and of methods of road repair and maintenance suited to the needs of different localities; for maintenance and repairs of experimental highways; for furnishing expert advice on these subjects; for collating, reporting, and illustrating the results of same; and for preparing, publishing, and distributing bulletins and reports; to be paid from any moneys available from the administrative funds provided under the Act of July 11, 1916, as amended (23 U. S. C. 21), or as otherwise provided.

60 Stat. 903.  
5 U. S. C. § 150.

39 Stat. 355.  
42 Stat. 217.

#### FEDERAL-AID HIGHWAY SYSTEM

For carrying out the provisions of "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes", as amended (23 U. S. C. 1-117), including personal services in the District of Columbia, \$10,288,854, to be immediately available and to remain available until expended, which sum is composed of \$5,000,000, the remainder of the amount authorized to be appropriated for the fiscal year 1943 by section 1 of the Act approved September 5, 1940 (Public Law 780), and \$3,171,950

Construction of rural post roads.

39 Stat. 355; 42 Stat. 212.  
*Ante*, p. 136.

54 Stat. 867.



and \$2,116,904, the latter sums being for the reimbursement of the sums expended for the repair or reconstruction of highways and bridges which have been damaged or destroyed by floods, hurricanes, or landslides, as provided for by section 3 of the Act approved June 18, 1934 (Public Law 393), and by section 7 of the Act approved July 13, 1943 (Public Law 146): *Provided*, That none of the money herein appropriated shall be paid to any State on account of any project on which convict labor shall be employed, except this provision shall not apply to convict labor performed by convicts on parole or probation: *Provided further*, That, during the fiscal year 1948, whenever performing authorized engineering or other services in connection with the survey, construction, and maintenance, or improvement of roads for other Government agencies, cooperating foreign countries and State cooperating agencies the charge for such services may include depreciation on engineering and road-building equipment used, and the amounts received on account of such charges shall be credited to the appropriation concerned: *Provided further*, That during the fiscal year 1948 the appropriations for the work of the Public Roads Administration shall be available for meeting the expenses of warehouse maintenance and the procurement, care, and handling of supplies, materials, and equipment stored therein for distribution to projects under the supervision of the Public Roads Administration, and for sale and distribution to other Government activities, cooperating foreign countries and State cooperating agencies, the cost of such supplies and materials or the value of such equipment (including the cost of transportation and handling) to be reimbursed to appropriations current at the time additional supplies, materials, or equipment are procured, from the appropriation chargeable with the cost or value of such supplies, materials, or equipment: *Provided further*, That the appropriations available to the Public Roads Administration may be used in emergency for medical supplies and services and other assistance necessary for the immediate relief of employees engaged on hazardous work under that Administration, and (not exceeding \$15,000) for temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), but at rates for individuals not in excess of \$35 (unless a higher rate, not exceeding \$50, shall be approved by the Director of the Bureau of the Budget) per diem.

For all necessary expenses to enable the President to utilize the services of the Public Roads Administration in fulfilling the obligations of the United States under the Convention on the Pan-American Highway Between the United States and Other American Republics, signed at Buenos Aires, December 23, 1936, and proclaimed September 16, 1937 (51 Stat. 152), for the continuation of cooperation with several governments, members of the Pan American Union, in connection with the survey and construction of the Inter-American Highway as provided in public resolution, approved March 4, 1929 (Public Resolution 104), as amended or supplemented, and for performing engineering service in pan-American countries for and upon the request of any agency or governmental corporation of the United States, \$100,000 to be derived from the administrative funds provided under the Act of July 11, 1916, as amended or supplemented (23 U. S. C. 21), or as otherwise provided.

## FEDERAL-AID SECONDARY OR FEEDER ROADS

For secondary or feeder roads, including farm-to-market roads, rural-free-delivery mail roads, and public-school bus routes, \$3,000,000, to be immediately available and to remain available until expended,

48 Stat. 994; 57 Stat.  
561.

23 U. S. C. §§ 13a,  
13b.

Convict labor.

Charges for desig-  
nated services.

Warehouse mainte-  
nance, etc.

Medical supplies,  
etc., in emergencies.

Temporary services.

60 Stat. 810.  
5 U. S. C. § 55a.

Inter-American  
Highway.  
Fulfillment of U. S.  
obligations.

45 Stat. 1697.

39 Stat. 355.  
42 Stat. 217.

which sum is the remainder of the amount authorized to be appropriated for the fiscal year 1943, by section 2 of the Act approved September 5, 1940 (Public Law 780). Any funds, not exceeding \$11,000,000, heretofore apportioned to any State and unobligated may be used to pay the State's pro rata for any projects on the Federal aid and Federal aid secondary roads approved under the provisions of section 3 of Act of June 18, 1934 (48 Stat. 993), section 4, Act of June 8, 1938 (52 Stat. 633), and section 7 of Act of July 13, 1943 (57 Stat. 560).

54 Stat. 868.

23 U. S. C. §§ 13a, 13b.

## FEDERAL-AID POSTWAR HIGHWAYS

For carrying out the provisions of the Federal-Aid Highway Act of 1944 (Public Law 521), \$247,711,146, to be immediately available and to remain available until expended, which sum is a part of the \$500,000,000 authorized to be appropriated for the first postwar fiscal year by section 2 of said Act.

58 Stat. 838.  
23 U. S. C. §§ 60-63.

## PUBLIC-LANDS HIGHWAYS

For the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, non-taxable Indian lands, or other Federal reservations other than the forest reservations, under the Act of June 24, 1930 (23 U. S. C. 3), \$3,000,000, to be immediately available and to remain available until expended, which sum is composed of \$1,000,000, the remainder of the amount authorized for the fiscal year 1941 by section 6 of the Act of June 8, 1938 (52 Stat. 635); \$500,000, the remainder of the amount authorized for the fiscal year 1942 by section 7 of the Act of September 5, 1940 (54 Stat. 869); and \$1,500,000, the amount authorized for the fiscal year 1943 by said section 7.

46 Stat. 805.

23 U. S. C. § 3b.

War and emergency damage, Territory of Hawaii: In addition to the amount appropriated under this head in the First Supplemental Appropriation Act, 1947, the Public Roads Administration is authorized to enter into contracts for the purpose of said appropriation in an amount not exceeding \$2,000,000.

60 Stat. 914.

## BUREAU OF COMMUNITY FACILITIES

*Post*, p. 697.

Public works advance planning: Not to exceed \$895,000 of the unobligated balance on June 30, 1947, of the funds made available for public works advance planning under title V of the War Mobilization and Reconversion Act of 1944 shall be available during the fiscal year 1948 for administrative expenses incident to the liquidation of the activity for which said funds were appropriated, including the objects specified under this head in the Independent Offices Appropriation Act, 1946.

58 Stat. 791.  
50 U. S. C. app.  
§ 1671.

59 Stat. 112.

Virgin Islands public works: For an additional amount to carry out the provisions of the Act of December 20, 1944 (Public Law 510), \$1,707,687, to be immediately available.

58 Stat. 827.

War public works (community facilities) liquidation: For administrative expenses necessary during the fiscal year 1948 for the liquidation of all activities under titles II, III, and IV of the Act of October 14, 1940, as amended (42 U. S. C. 1531-1534, 1541, and 1562), including personal services and rents in the District of Columbia; printing and binding; health service program as authorized by the Act of August 8, 1946 (Public Law 658); not to exceed \$500,000 of the unobligated balances of the funds heretofore appropriated for carrying out the provisions of titles II, III, and IV of the Act of October 14, 1940, as amended (42 U. S. C. 1531-1534, 1541, and 1562), of which amount \$50,000 shall be for payment for accumulated and

55 Stat. 361; 56 Stat.  
212.  
42 U. S. C. §§ 1561-  
1564.60 Stat. 903.  
5 U. S. C. § 150.*Supra*.

accrued leave of employees separated from the Government service due to said liquidation.

60 Stat. 612.  
Ante, p. 108.

Veterans' educational facilities: The limitation on the amount for administrative expenses under this head in the Third Deficiency Appropriation Act, 1946, as supplemented by the Second Deficiency Appropriation Act, 1947, is hereby increased from \$3,100,000 to \$3,750,000, of which amount \$395,000 shall be used exclusively for payment for accumulated and accrued leave.

### GENERAL ACCOUNTING OFFICE

Salaries: For personal services in the District of Columbia and elsewhere, \$34,500,000.

58 Stat. 394.  
39 U. S. C. §§ 321c-  
321h.  
Ante, p. 450.

Miscellaneous expenses: For necessary expenses, including purchase of one passenger motor vehicle, \$1,717,000, of which not to exceed \$62,000 shall be available for deposit in the Treasury for cost of penalty mail as required by the Act of June 28, 1944.

Printing and binding: For printing and binding, including monthly and annual editions of selected decisions of the Comptroller General of the United States, \$300,000.

60 Stat. 903.  
5 U. S. C. § 150.  
  
60 Stat. 843.  
28 U. S. C. §§ 921,  
922.

Appropriations for the General Accounting Office shall be available for a health service program as authorized by Act of August 8, 1946 (Public Law 658), and for payment of claims pursuant to part 2 of the Federal Tort Claims Act of August 2, 1946 (Public Law 601).

### INTERSTATE COMMERCE COMMISSION

60 Stat. 903.  
5 U. S. C. § 150.  
Government transportation requests.

General expenses: For expenses necessary in performing the functions vested by law in the Commission (49 U. S. C. 1-24, 301-327, 901-923, 1001-1022), except those otherwise specifically provided for in this Act, and for general administration, including one chief counsel, one director of finance, one director of motor transport, and one director of traffic, at \$10,000 each per annum; not to exceed \$50,000 for the employment of special counsel; contract stenographic reporting services; personal services in the District of Columbia; newspapers (not to exceed \$200); health service program as authorized by Act of August 8, 1946 (Public Law 658); and purchase of thirty-five passenger automobiles; \$9,000,000: *Provided*, That Joint Board members and cooperating State commissioners may use Government transportation requests when traveling in connection with their duties as such: *Provided further*, That not to exceed \$5,000 may be used for the purchase of evidence in connection with investigations of apparent violations of part II of the Interstate Commerce Act.

54 Stat. 919.  
49 U. S. C. § 301.

Railroad safety: For expenses necessary in performing functions authorized by law (45 U. S. C. 1-15, 17-21, 35-46, 61-64; 49 U. S. C. 26) to insure a maximum of safety in the operation of railroads, including authority to investigate, test experimentally, and report on the use and need of any appliances or systems intended to promote the safety of railway operation, including those pertaining to block-signal and train-control systems, as authorized by the joint resolution approved June 30, 1906, and the Sundry Civil Act of May 27, 1908 (45 U. S. C. 35-37), and to require carriers by railroad subject to the Act to install automatic train-stop or train-control devices as prescribed by the Commission (49 U. S. C. 26), including the employment of inspectors, engineers, and personal services in the District of Columbia, \$908,000.

34 Stat. 838; 35 Stat.  
325.

41 Stat. 498.

Locomotive inspection: For expenses necessary in the enforcement of the Act of February 17, 1911, entitled "An Act to promote the safety

of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto", as amended (45 U. S. C. 22-34), including personal services in the District of Columbia, \$605,000.

Printing and binding: For all printing and binding for the Interstate Commerce Commission, including not to exceed \$17,000 to print and furnish to the States, at cost, blank annual report forms of common carriers, \$200,000.

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail of the Interstate Commerce Commission as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$30,000.

36 Stat. 913.  
Ante, p. 120.

58 Stat. 394.  
39 U. S. C. § 321d.

### NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

For necessary expenses of the Committee, including contracts, without regard to section 3709, Revised Statutes, as amended, for the making of special investigations and reports and for engineering and drafting services; traveling expenses of members and for examination of estimates of appropriations and activities in the field; equipment, maintenance, and operation of the Langley Memorial Aeronautical Laboratory, the Ames Aeronautical Laboratory, and the Flight Propulsion Research Laboratory at Cleveland, Ohio; purchase and maintenance of cafeteria equipment; purchase of one (not to exceed \$15,000) and maintenance and operation of aircraft; purchase of eleven passenger motor vehicles of which nine shall be for replacement; not to exceed \$492,000 for personal services in the District of Columbia, including one Director of Aeronautical Research at not to exceed \$10,000 per annum and \$2,000 additional so long as the position is held by the present incumbent; not to exceed \$6,500 for deposit in the general fund of the Treasury for cost of penalty mail by the Act of June 28, 1944; not to exceed \$10,000 for temporary or intermittent services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), at not to exceed \$35 (unless a higher rate, not exceeding \$50, shall be approved by the Director of the Bureau of the Budget) per diem for individuals; including \$3,000 for claims determined and settled pursuant to part 2 of the Federal Tort Claims Act; and a health service program for employees as authorized by the Act of August 8, 1946 (Public Law 658); in all, \$33,490,000: *Provided*, That statutory provisions prohibiting the payment of compensation to aliens shall not apply to any person whose employment by the Committee shall be determined by the Chairman thereof to be necessary: *Provided further*, That aircraft and parts, equipment, and supplies may be transferred to the Committee by the Army and Navy without reimbursement.

For printing and binding, \$80,000.

For construction and equipment at laboratories and research stations of the Committee, \$2,400,000, to be available until June 30, 1948: *Provided*, That in addition to said appropriation the Committee may, prior to July 1, 1948, enter into contracts for the same purpose to an amount not in excess of \$2,143,000.

Construction, Langley Field, Virginia: For an additional amount for "Construction, Langley Field, Virginia", \$5,805,000, which amount shall be available immediately.

Construction, Cleveland, Ohio: For an additional amount for "Construction, Cleveland, Ohio", \$1,674,000, which amount shall be available immediately.

Salaries and expenses.  
41 U. S. C. § 5.

Aeronautical laboratories.

Director of Aeronautical Research.

58 Stat. 394.  
39 U. S. C. §§ 321c-321h.  
Ante, p. 450.  
60 Stat. 810.  
5 U. S. C. § 55a.

60 Stat. 843.  
28 U. S. C. §§ 921, 922.  
60 Stat. 903.  
5 U. S. C. § 150.  
Compensation to aliens.

Transfer of equipment, etc.

Construction and equipment.

Wind tunnel, Moffett Field, Calif.

The unexpended balances of the funds advanced to the National Advisory Committee for Aeronautics from the appropriation "Aviation, Navy", for the fiscal year 1945, for construction and equipment of a wind tunnel at Moffett Field, California, shall remain available during the fiscal year 1948 for the liquidation of obligations incurred prior to June 30, 1947.

### NATIONAL ARCHIVES

Salaries and expenses: For necessary expenses of the Archivist and the National Archives; including personal services in the District of Columbia; scientific, technical, first-aid, protective, and other apparatus and materials for the arrangement, titling, scoring, repair, processing, editing, duplication, reproduction, and authentication of photographic and other records (including motion-picture and other films and sound recordings) in the custody of the Archivist; contract stenographic reporting services; not to exceed \$100 for payment in advance when authorized by the Archivist for library membership in societies whose publications are available to members only or to members at a price lower than to the general public; not to exceed \$650 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944; and travel expenses; \$1,241,335, of which \$1,000 is for claims determined and settled pursuant to the Federal Tort Claims Act: *Provided*, That no part of this appropriation shall be used to pay the salary of any employee of grade 5 or above in the professional service or of grade 11 or above in the clerical, administrative, and fiscal service who was originally appointed in the National Archives to a war-service appointment, except a presently employed veteran of either World War or a member of the active or inactive reserve of the armed forces.

Printing and binding: For all printing and binding, \$20,000.

58 Stat. 394.  
39 U. S. C. §§ 321c-321h.  
*Ante*, p. 450.  
60 Stat. 842.  
28 U. S. C. §§ 921, 922, 931-934, 941-945.  
*Post*, p. 722.  
War-service appointees.

### NATIONAL CAPITAL HOUSING AUTHORITY

For the maintenance and operation of properties under title I of the District of Columbia Alley Dwelling Authority Act, \$21,300: *Provided*, That all receipts derived from sales, leases, or other sources shall be covered into the Treasury of the United States monthly.

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail of the National Capital Housing Authority as required by the Act of June 28, 1944, \$750.

58 Stat. 394.  
39 U. S. C. §§ 321c-321h.  
*Ante*, p. 450.

### NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Land acquisition, National Capital and metropolitan area: For necessary expenses for the National Capital Park and Planning Commission in connection with the acquisition of land for the park, parkway, and playground system of the National Capital, as authorized by the Act of May 29, 1930 (46 Stat. 482), and amendment of August 8, 1946 (Public Law 699); temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), including real estate appraisers at rates of pay or fees not to exceed those usual for similar services; purchase of options and other costs incident to the acquisition of land not to exceed \$30 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944; and purchase of one passenger motor vehicle; \$279,000, to be immediately available and to remain available until expended, \$200,000 of said sum for carrying out the provisions of

D. C. Code § 8-102 note.  
60 Stat. 960.  
60 Stat. 810.  
5 U. S. C. § 55a.

58 Stat. 394.  
39 U. S. C. §§ 321c-321h.  
*Ante*, p. 450.

section 1 (a) of said Act; and \$79,000 for carrying out the provisions of section 4 of said Act.

District of Columbia redevelopment: For expenses necessary to carry out the provisions and purposes of sections 3k, 6, and 16 of the Act of August 2, 1946 (Public Law 592), including temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); not to exceed \$50 for deposit in the general fund of the Treasury for cost of penalty mail for the fiscal years 1947 and 1948 as required by the Act of June 28, 1944; \$75,000, to remain available until expended.

46 Stat. 483, 485.  
D. C. Code §§ 8-102,  
8-106 notes.

60 Stat. 791, 794, 800.

60 Stat. 810.  
5 U. S. C. § 55a.

58 Stat. 394.  
39 U. S. C. §§ 321c-  
321h.  
*Ante*, p. 450.

### PHILIPPINE WAR DAMAGE COMMISSION

Philippine War Damage Commission: For carrying out the provisions of title I of the Philippine Rehabilitation Act of 1946, fiscal year 1948, \$70,000,000, to remain available until April 30, 1951, of which not to exceed \$1,900,000 shall be for necessary expenses of the Philippine War Damage Commission for the fiscal year 1948, including personal services in the District of Columbia; purchase of eighteen passenger motor vehicles, including three busses, which may be used for the transportation of members and employees of the Commission from their residences to Commission offices in the Philippines; printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111); temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); and not to exceed \$200 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364): *Provided*, That no payment shall be made under the provisions of such title of such Act to any person who, by a civil or military court having jurisdiction, has been found guilty of collaborating with the enemy or of any act involving disloyalty to the United States or the Commonwealth of the Philippines: *Provided further*, That no part of this appropriation shall be available for engaging in any phase of activity or for undertaking any phase of activity authorized by the Philippine Rehabilitation Act of 1946 which would result in obligating the Government of the United States in any sense or respect to the future payment of amounts in excess of the amounts authorized to be appropriated in such Act.

60 Stat. 128.  
50 U. S. C. app.  
§§ 1751-1763.

40 Stat. 1270.  
60 Stat. 810.  
5 U. S. C. § 55a.  
58 Stat. 394.  
39 U. S. C. § 321d.  
Persons guilty of  
disloyalty.

Restriction on pay-  
ments.

60 Stat. 128.  
50 U. S. C. app.  
§ 1751 note.

### SECURITIES AND EXCHANGE COMMISSION

Salaries and expenses: For necessary expenses, including personal services in the District of Columbia; health service program as authorized by Act of August 8, 1946 (Public Law 658); payment of claims determined and settled pursuant to part 2 of the Federal Tort Claims Act (Act of August 2, 1946, Public Law 601); not to exceed \$1,150 for the purchase of newspapers; temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); and not to exceed \$20,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944; \$5,688,700.

For all printing and binding for the Securities and Exchange Commission, \$50,000.

60 Stat. 903.  
5 U. S. C. § 150.

60 Stat. 843.  
28 U. S. C. §§ 921,  
922.

60 Stat. 810.  
5 U. S. C. § 55a.

58 Stat. 394.  
39 U. S. C. §§ 321c-  
321h.  
*Ante*, p. 450.

### SMITHSONIAN INSTITUTION

Salaries and expenses, Smithsonian Institution: For all necessary expenses for the preservation, exhibition, and increase of collections from the surveying and exploring expeditions of the Government and from other sources; for the system of international exchanges

Astrophysical Ob-  
servatory.

National Collection  
of Fine Arts.

54 Stat. 724.  
48 U. S. C. §§ 1381-  
1387.

*Ante*, p. 453.  
60 Stat. 1101.  
5 U. S. C. § 133y-16  
note.

60 Stat. 997.  
20 U. S. C. §§ 77-  
77d.

60 Stat. 810.  
5 U. S. C. § 55a.

58 Stat. 394.  
39 U. S. C. §§ 321c-  
321h.

*Ante*, p. 450.  
American Historical  
Association report.

National Gallery of  
Art.

20 U. S. C. §§ 71-75.  
58 Stat. 577.  
20 U. S. C. § 74.

60 Stat. 903.  
5 U. S. C. § 150.

58 Stat. 394.  
39 U. S. C. §§ 321c-  
321h.  
*Ante*, p. 450.

41 U. S. C. § 5.  
42 Stat. 1488.  
5 U. S. C. §§ 661-  
674.

between the United States and foreign countries; for anthropological researches among the American Indians and the natives of Hawaii and the excavation and preservation of archeological remains; for maintenance of the Astrophysical Observatory and making necessary observations in high altitudes; for the administration of the National Collection of Fine Arts; for the administration, and for the construction and maintenance, of laboratory and other facilities on Barro Colorado Island, Canal Zone, under the provisions of the Act of July 2, 1940, as amended by the provisions of Reorganization Plan Numbered 3 of 1946; for the planning of a national air museum as authorized by the Act of August 12, 1946 (Public Law 722); including personal services in the District of Columbia and not to exceed \$35,000 for temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); traveling expenses; not to exceed \$5,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944; printing and binding, not exceeding \$150,000, of which not to exceed \$16,800 shall be available for printing the report of the American Historical Association; purchase, repair, and cleaning of uniforms for guards and elevator conductors; repairs and alterations of buildings and approaches; not exceeding \$5,500 for preparation of manuscripts, drawings, and illustrations for publications; \$1,800,312.

Salaries and expenses, National Gallery of Art: For the upkeep and operation of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including personal services in the District of Columbia; health-service program as authorized by the Act of August 8, 1946 (Public Law 658); traveling expenses; not to exceed \$1,500 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944; not to exceed \$250 for payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards and elevator operators; not to exceed \$6,300 for printing and binding; purchase or rental of devices and services for protecting buildings and contents thereof; and maintenance and repair of buildings, approaches, and grounds; \$949,426: *Provided*, That section 3709 of the Revised Statutes, or the Classification Act of 1923, as amended, shall not apply to the restoration and repair of works of art for the National Gallery of Art, the cost of which shall not exceed \$15,000.

## TARIFF COMMISSION

For necessary expenses of the Tariff Commission, including personal services in the District of Columbia, subscriptions to newspapers not to exceed \$250, health service program as authorized by the Act of August 8, 1946 (Public Law 658), contract stenographic reporting services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), and not to exceed \$1,500 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944, \$1,128,349: *Provided*, That no part of this appropriation shall be used to pay the salary of any member of the Tariff Commission who shall hereafter participate in any proceedings under

60 Stat. 903.  
5 U. S. C. § 150.

60 Stat. 810.  
5 U. S. C. § 55a.

58 Stat. 394.  
39 U. S. C. §§ 321c-  
321h.  
*Ante*, p. 450.

sections 336, 337, and 338 of the Tariff Act of 1930, wherein he or any member of his family has any special, direct, and pecuniary interest, or in which he has acted as attorney or special representative.

For printing and binding, \$20,000.

46 Stat. 701.  
19 U. S. C. §§ 1336-1338.

## THE TAX COURT OF THE UNITED STATES

Salaries and expenses: For necessary expenses, including contract stenographic reporting services, \$754,700, of which not to exceed \$675 shall be available for deposit in the Treasury for costs of penalty mail as required by the Act of June 28, 1944: *Provided*, That travel expenses of the judges shall be paid upon the written certificate of the judge.

58 Stat. 394.  
39 U. S. C. §§ 321c-321h.  
*Ante*, p. 450.

Printing and binding: For printing and binding, \$17,500.

## UNITED STATES MARITIME COMMISSION

*Post*, p. 697.

The construction fund established by the Merchant Marine Act, 1936, shall be available during the fiscal year 1948 for administrative expenses of the United States Maritime Commission, including personal services at the seat of government; printing and binding; newspapers and periodicals, not to exceed \$2,000; purchase of one passenger motor vehicle at not to exceed \$1,500: *Provided*, That the following limitations shall apply to obligations from such fund:

49 Stat. 1987.  
46 U. S. C. § 1116.

Limitations.

Personal services, \$8,000,000;

Administrative expenses, other than personal services, \$795,000;

New ship construction, and not exceeding \$15,000,000 for reconditioning and betterment, fiscal years 1947 and 1948, \$99,000,000;

Reconversion of vessels, \$100,000: *Provided*, That the Commission may make allowances to purchasers of vessels for cost of putting such vessels in class, such allowances to be determined on the basis of competitive bids, without regard to the provisions of the last paragraph of section 3 (d) of the Merchant Ship Sales Act of 1946;

60 Stat. 41.  
50 U. S. C. app. § 1736(d).

Maintenance of shipyard facilities, \$800,000;

Operation of warehouses, \$849,180;

Operating-differential subsidies, \$10,000,000;

Reserve fleet expense, \$10,000,000;

Maintenance and operation of terminals, \$561,000;

Miscellaneous expenses, \$500,000;

Cost of penalty mail as required by the Act of June 28, 1944, for deposit in the general fund of the Treasury, \$60,000;

*Post*, p. 697.  
58 Stat. 394.  
39 U. S. C. §§ 321c-321h.  
*Ante*, p. 450.

Entertainment of officials of other countries when specifically authorized by the Chairman, \$1,125;

Services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), \$18,750.

60 Stat. 810.  
5 U. S. C. § 55a.

Funds available to the Commission shall be available for payment of claims under part 2 of the Federal Tort Claims Act of August 2, 1946 (Public Law 601).

60 Stat. 843.  
28 U. S. C. §§ 921, 922.

Except as hereinbefore provided no obligation shall be incurred against such construction fund during the fiscal year 1948 and the expenditures from such fund during the fiscal year 1948 shall not exceed \$208,206,774.

The balance of such fund in addition to such amount of \$208,206,774, as of June 30, 1947, shall be carried to the surplus fund and covered into the Treasury. All receipts which otherwise would be deposited to the credit of such construction fund during the fiscal year 1948 shall be covered into the Treasury as miscellaneous receipts.



Transactions involving sale, etc., of vessels.

Whenever, in connection with any transaction involving the sale, purchase, or requisition of any vessel, the United States shall be or become obligated to pay any sum to the other party to the transaction and said other party shall be or is indebted to the United States on account of any transaction involving the sale, purchase, or requisition of any vessel the amount so owing to the United States shall be deducted from the amount due the other party, and no officer or employee of the Government shall pay to such other party a sum greater than the net amount owing the other party.

Transfer of funds.

60 Stat. 903.  
5 U. S. C. § 150.

Maritime training: For the training of personnel for the manning of the merchant marine and for administrative expenses (not to exceed \$250,000) including personal services in the District of Columbia; expenses of attendance when specifically authorized by the Chairman, at meetings of organizations concerned with the work of the Commission; and printing and binding; \$7,320,000 of which not to exceed \$2,500 shall be available for contingencies for the Superintendent, United States Merchant Marine Academy, to be expended in his discretion; not to exceed \$64,000 for transfer to applicable appropriations of the Public Health Service for services rendered the Commission; and for a health service program as authorized by the Act of August 8, 1946 (Public Law 658).

36 Stat. 1353.

State marine schools: To reimburse the State of California, \$50,000; the State of Maine, \$50,000; the State of Massachusetts, \$50,000; the State of New York, \$50,000; and the State of Pennsylvania, \$50,000; for expenses incurred in the maintenance and support of marine schools in such States as provided in the Act authorizing the establishment of marine schools, and so forth, approved March 4, 1911, as amended (34 U. S. C. 1121-1123); and for the maintenance and repair of vessels loaned by the United States to the said States for use in connection with such State marine schools, \$200,000; in all, \$450,000.

*Ante*, p. 244.

## VETERANS' ADMINISTRATION

Salaries and expenses.

60 Stat. 903.  
5 U. S. C. § 150.

60 Stat. 810.  
5 U. S. C. § 55a.

38 U. S. C. note  
fol. § 739.

25 Stat. 450.

Administration, medical, hospital, and domiciliary services: For necessary expenses of the Veterans' Administration, including maintenance and operation of medical, hospital, and domiciliary services, in carrying out the functions pursuant to all laws for which the Administration is charged with administering, including personal services in the District of Columbia; examination of estimates of appropriations in the field, including actual expenses of subsistence or per diem allowance in lieu thereof; furnishing and laundering of such wearing apparel as may be prescribed for employees in the performance of their official duties; health service program as authorized by Act of August 8, 1946 (Public Law 658); purchase of three hundred and twenty-three passenger motor vehicles; utilization of Government-owned automotive equipment in transporting children of Veterans' Administration employees located at isolated stations to and from school under such limitations as the Administrator may by regulation prescribe; services as authorized by section 15 of Public Law 600, Seventy-ninth Congress; maintenance and operation of farms; recreational articles and facilities at institutions maintained by the Veterans' Administration; expenses incidental to securing employment for war veterans; funeral, burial, and other expenses incidental thereto for beneficiaries of the Veterans' Administration except burial awards authorized by Veterans' Administration Regulation Numbered 9 (a), as amended; the purchase of tobacco to be furnished, subject to regulations of the Administrator, to veterans receiving hospital treatment or domiciliary care in Veterans' Administration hospitals or homes; aid to State or Territorial homes in conformity with the Act approved August 27, 1888, as amended (24

U. S. C. 134), for the support of veterans eligible for admission to Veterans' Administration facilities for hospital or domiciliary care; the purchase of printed reduced-fare requests for use by veterans when traveling at their own expense from or to Veterans' Administration facilities; not to exceed \$3,500 for newspapers and periodicals; and not to exceed \$120,200 for the preparation, shipment, installation, and display of exhibits, photographic displays, moving pictures, and other visual educational information and descriptive material, including the purchase or rental of equipment; \$898,040,780, from which allotments and transfers may be made to the Federal Security Agency (Public Health Service), the War, Navy, and Interior Departments, for disbursement by them under the various headings of their applicable appropriations, of such amounts as are necessary for the care and treatment of beneficiaries of the Veterans' Administration, including minor repairs and improvements of existing facilities under their jurisdiction necessary to such care and treatment: *Provided*, That no part of this appropriation shall be used to pay in excess of one hundred persons engaged in public relations work: *Provided further*, That no part of this appropriation shall be expended for the purchase of any site for or toward the construction of any new hospital or home, or for the purchase of any hospital or home; and not more than \$7,807,000 of this appropriation may be used to repair, alter, improve, or provide facilities in the several hospitals and homes under the jurisdiction of the Veterans' Administration either by contract or by the hire of temporary employees and the purchase of materials.

Printing and binding: For printing and binding, \$7,000,000.

Penalty mail costs: For deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944, \$3,900,000.

Damage claims: For claims determined and settled pursuant to part 2 of the Federal Tort Claims Act, \$26,500.

Administrative facilities: For the acquisition of sites and the construction of regional office buildings, \$3,100,000, to be available until expended: *Provided*, That the acquisition of the sites, and the preparation of the plans and specifications and construction, shall be under the supervision of the Public Buildings Administration, for which reimbursement may be made from this appropriation.

Pensions: For the payment of compensation, pensions, gratuities, and allowances (including subsistence allowances authorized by part VII of Veterans Regulation 1a, as amended), authorized under any Act of Congress, or regulation of the President based thereon, including emergency officers' retirement pay and annuities, the administration of which is now or may hereafter be placed in the Veterans' Administration, \$2,171,915,000, to be immediately available and to remain available until expended.

Readjustment benefits: For the payment of benefits to or on behalf of veterans as authorized by titles II, III, and V, of the Servicemen's Readjustment Act of 1944, \$3,719,860,000, to be immediately available and to remain available until expended.

Military and naval insurance: For military and naval insurance, \$11,150,000, to be immediately available and to remain available until expended.

For hospital and domiciliary facilities, in addition to the unobligated balances of other appropriations for this purpose, and to the unobligated balance of the contract authority of \$441,250,000 in the Third Urgent Deficiency Appropriation Act, 1946 (which authority is hereby extended to July 1, 1949), the Administrator is authorized to incur obligations prior to July 1, 1949, in an amount not exceeding \$338,250,000, which shall be available for use, with the approval of

Visual educational information.

Transfer of funds, etc.

Public relations work.

Construction, etc., restrictions.

58 Stat. 394.  
39 U. S. C. §§ 321c-321h.

*Ante*, p. 450.  
60 Stat. 843.  
28 U. S. C. §§ 921, 922.  
Acquisition of sites, etc.

57 Stat. 43.  
38 U. S. C. note foll. § 739.  
*Ante*, p. 180; *post*, p. 739.

58 Stat. 287, 291, 295.  
38 U. S. C. § 701, note foll. §§ 739, 694-694c, 696-696m.  
*Ante*, p. 454.

60 Stat. 265.

46 Stat. 1550, 1551.

58 Stat. 284.

38 U. S. C. § 693a.

Purchase of sites,  
etc.

the President, for extending any of the facilities under the jurisdiction of the Veterans' Administration or for any of the purposes set forth in sections 1 and 2 of the Act approved March 4, 1931 (38 U. S. C. 438j-k) or in section 101 of the Servicemen's Readjustment Act of 1944: *Provided*, That not to exceed 6.7 per centum of the foregoing appropriation and contract authorizations shall be available for the employment in the District of Columbia and in the field of all necessary technical and clerical personnel for the preparation of plans and specifications for the projects as approved hereunder and in the supervision of the execution thereof, and for all travel expenses, field office equipment, and supplies in connection therewith, except that whenever the Veterans' Administration finds it necessary in the construction of any project to employ other Government agencies or persons outside the Federal service to perform such services not to exceed 10 per centum of the cost of such projects may be expended for such services: *Provided further*, That no part of the funds appropriated in this bill or any funds heretofore made available, including contract authorizations, shall be used for the purchase or condemnation of the site or for the erection of a hospital on the tract of land in Arlington County, Virginia, known as the A. M. Nevius Tract, situated at the intersection of Lee Boulevard and Arlington Ridge Road, containing approximately 25.406 acres; or for the purchase or condemnation of a site or erection of a hospital in Tallahassee, Florida, until the Committee on Appropriations of the House of Representatives has investigated and given final approval.

60 Stat. 887.  
38 U. S. C. §§ 13-13g.

Operation of canteens: For expenses necessary for carrying out the provisions of the Act of August 7, 1946 (Public Law 636), \$965,000, which shall be available to provide adequate working capital for each canteen and for the Service as a whole for (a) the acquisition of necessary furniture, furnishings, fixtures, and equipment for the establishment, maintenance, and operation of canteens, warehouses, and storage depots, (b) for the procurement of merchandise, supplies, and services for sale at canteens at stations of the Veterans' Administration, in accordance with the provisions of the Act, and (c) for the employment of personnel and other expenses necessary for the operation of the canteens: *Provided*, That the amount appropriated and the proceeds of canteen operations shall be deposited in the Treasury or other depositories selected by the Administrator in a special account which shall be available for the continued operation of canteens.

54 Stat. 1008.  
38 U. S. C. §§ 801-818.  
*Ante*, pp. 5, 6.

National service life insurance: For the payment of benefits and for transfer to the national service life insurance fund, in accordance with the National Service Life Insurance Act of 1940, as amended, \$62,217,000, to be immediately available and to remain available until expended: *Provided*, That certain premiums shall be credited to this appropriation as provided by the Act.

56 Stat. 773.  
50 U. S. C. app.  
§§ 540-548.

Soldiers' and sailors' civil relief: For payment of claims as authorized by article IV of the Soldiers' and Sailors' Civil Relief Act amendments of 1942, \$833,000, to be immediately and continuously available until expended: *Provided*, That any moneys received as repayment of debts incurred under said article IV shall be credited to this appropriation.

38 U. S. C. note  
fol. § 739.

57 Stat. 43.  
38 U. S. C. note fol.  
§ 739.  
*Ante*, p. 180; *post*, p. 739.

Veterans' miscellaneous benefits: For the payment of burial awards authorized by Veterans' Administration Regulation Numbered 9 (a), as amended, and for supplies, equipment, and tuition authorized by part VII of Veterans' Administration Regulation Numbered 1 (a), as amended, \$85,449,800 to remain available until expended, for benefits accruing during the fiscal year 1948 and prior fiscal years.

Total, Veterans' Administration, \$6,964,457,080: *Provided*, That no part of this appropriation shall be available for hospitalization or examination of any persons except beneficiaries entitled under the laws bestowing such benefits to veterans, unless reimbursement of cost is made to the appropriation at such rates as may be fixed by the Administrator of Veterans' Affairs.

#### INDEPENDENT OFFICES—GENERAL PROVISIONS

SEC. 102. During the fiscal year ending June 30, 1948, the salaries of the Commissioners of the United States Tariff Commission and of the United States Maritime Commission, with the exception of the Chairman, shall be at the rate of \$10,000 each per annum.

Salaries of Commissioners.

SEC. 103. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

Affidavit.

Penalty.

SEC. 104. No part of any appropriation or authorization in this Act shall be used to pay any part of the salary or expenses of any person whose salary or expenses are prohibited from being paid from any appropriation or authorization in any other Act; but this prohibition shall be effective only during the period for which such prohibition in such other Act is effective.

Payment of salaries, etc., restriction.

SEC. 105. Where appropriations in this Act are expendable for travel expenses of employees and no specific limitation has been placed thereon, the expenditures for such travel expenses may not exceed the amount set forth therefor in the budget estimates submitted for the appropriations.

Travel expenses.

SEC. 106. Where appropriations in this Act are expendable for the purchase of newspapers and periodicals and no specific limitation has been placed thereon, the expenditures therefor under each such appropriation may not exceed the amount of \$50: *Provided*, That this limitation shall not apply to the purchase of scientific, technical, trade, or traffic periodicals necessary in connection with the performance of the authorized functions of the agencies for which funds are herein provided.

Purchase of newspapers and periodicals.

Positions formerly held by employees who entered armed forces.

SEC. 107. No part of any appropriation contained in this Act shall be available to pay the salary of any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the armed forces of the United States and has satisfactorily completed his period of active military or naval service and has within ninety days after his release from such service or from hospitalization continuing after discharge for a period of not more than one year made application for restoration to his former position and has been certified by the Civil Service Commission as still qualified to perform the duties of his former position and has not been restored thereto.

Attendance at meetings.

SEC. 108. Appropriations contained in this Act, available for expenses of travel, shall be available, when specifically authorized by the head of the activity or establishment concerned, for expenses of attendance at meetings of organizations concerned with the function or activity for which the appropriation concerned is made.

Accounting systems.

SEC. 109. No part of any appropriation or fund contained in this Act shall be available for installing or maintaining systems for administrative appropriation, fund or inventory accounting except such systems as are prescribed or approved by the Comptroller General: *Provided*, That all agencies for whose activities provision is made in this Act shall hereafter maintain fiscal accounting control of all inventories of supplies, materials or equipment which may be owned by or be in the custody of such agencies.

*Ante*, p. 583.

## TITLE II—GENERAL PROVISIONS

Motor vehicles.

SEC. 201. Unless otherwise specifically provided, the maximum amount allowable, in accordance with section 16 of the Act of August 2, 1946 (Public Law 600), for the purchase of any passenger motor vehicle (exclusive of busses, ambulances, and station wagons), is hereby fixed at \$1,300.

Citizenship requirements.  
*Ante*, p. 374.

SEC. 202. Unless otherwise specified and until July 1, 1948, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in continental United States unless such person (1) is a citizen of the United States, (2) is a person in the service of the United States on the date of enactment of this Act who, being eligible for citizenship, had filed a declaration of intention to become a citizen of the United States prior to such date, or (3) is a person who owes allegiance to the United States: *Provided*, That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his status have been complied with: *Provided further*, That any person making a false affidavit shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of the Republic of the Philippines or to nationals of those countries allied with the United States in the prosecution of the war.

Affidavit.

Penalty.

Recoverable payments.

Nonapplicability.

Travel outside U. S.  
Per diem allowances.

SEC. 203. Appropriations for the executive departments and independent establishments for the fiscal year 1948 available for travel

expenses shall be available for the payment of per diem allowances in lieu of subsistence expenses without regard to the Subsistence Expense Act of 1926, as amended (5 U. S. C. 821-833), to civilian officers and employees of such departments and establishments while traveling on official business outside the continental limits of the United States and away from their designated posts of duty: *Provided*, That the amount of such allowances shall be determined by the head of the department or independent establishment concerned or by such official as he may designate for the purpose, but shall in no case, notwithstanding any other provision of law, exceed the maximum established by regulations prescribed by the President for the locality in which the travel is performed.

44 Stat. 688.

SEC. 204. Appropriations of the executive departments and independent establishments for the fiscal year 1948, available for expenses of travel or for the expenses of the activity concerned, are hereby made available for living quarters allowances in accordance with the Act of June 26, 1930 (5 U. S. C. 118a), and regulations prescribed thereunder, and cost of living allowances similar to those allowed under section 901 (2) of the Foreign Service Act of 1946, in accordance with and to the extent prescribed by regulations of the President, for all civilian officers and employees of the Government permanently stationed in foreign countries: *Provided*, That the availability of appropriations of the Department of State under the caption "Foreign Service" shall not be affected hereby.

Allowances for living quarters.

46 Stat. 818.

60 Stat. 1026.  
22 U. S. C. § 1131(2).*Ante*, p. 280.

SEC. 205. No part of any appropriation for the fiscal year 1948 contained in this or any other Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve of the nomination of said person.

Senate disapproval of nomination, effect.

SEC. 206. No part of any appropriation contained in this or any other Act shall be used to pay in excess of \$4 per volume for the current and future volumes of the United States Code Annotated and such volumes shall be purchased on condition and with the understanding that cumulative annual pocket parts shall be furnished free of charge, or in excess of \$4.25 per volume for the current or future volumes of the Lifetime Federal Digest.

U. S. Code Annotated; Lifetime Federal Digest.

### TITLE III—REDUCTIONS IN APPROPRIATIONS

Amounts available to agencies from appropriations and other funds are hereby reduced in the sums hereinafter set forth, such sums to be carried to the surplus fund and covered into the Treasury immediately upon the approval of this Act:

#### FEDERAL WORKS AGENCY

Bureau of community facilities: War public works (community facilities), under titles II, III, and IV of the Act of October 14, 1940, as amended (42 U. S. C. 1531-1534, 1541, and 1562), \$5,100,000.

55 Stat. 361, 363; 56 Stat. 212.  
42 U. S. C. §§ 1561-1564.

#### VETERANS' ADMINISTRATION

Hospital and domiciliary facilities, \$50,000,000.

This Act may be cited as the "Independent Offices Appropriation Act, 1948".

Short title.

Approved July 30, 1947.

## [CHAPTER 360]

## AN ACT

July 30, 1947  
[H. R. 3961]

[Public Law 270]

To provide increases in the rates of pension payable to Spanish-American War and Civil War veterans and their dependents.

Veterans of Spanish-  
American War.  
Rates of pension.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all monthly rates of pension payable to veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection, and dependents of such veterans which are payable under laws reenacted by the Act of August 13, 1935 (49 Stat. 614; 38 U. S. C. 368, 369), or under Acts amendatory or supplemental to such laws, are hereby increased by 20 per centum.

Effective date.

The increases provided by this section shall be effective from the first day of the second calendar month following the date of enactment of this Act.

Veterans of Civil  
War.  
Rates of pension.

SEC. 2. That all monthly rates of pension payable to veterans of the Civil War and dependents of such veterans which are payable under any laws administered by the Veterans' Administration are hereby increased by 20 per centum.

Effective date.

The increases provided by this section shall be effective from the first day of the second calendar month following the date of enactment of this Act.

Approved July 30, 1947.

## [CHAPTER 361]

## AN ACT

July 30, 1947  
[H. R. 4269]

[Public Law 271]

Making supplemental appropriations for the fiscal year ending June 30, 1948, and for other purposes.

The Supplemental  
Appropriation Act,  
1948.  
*Ante*, pp. 118, 187,  
245, 361, 608, 609; *post*,  
pp. 695, 703, 941.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations for the fiscal year ending June 30, 1948, and for other purposes, namely:

## LEGISLATIVE BRANCH

## SENATE

*Post*, p. 695.

## OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER

For an amount necessary to increase basic salaries in the Senate Press Gallery, beginning July 1, 1947, as follows: Superintendent from \$3,820 to \$4,320; one assistant superintendent from \$3,200 to \$3,600; one assistant superintendent from \$2,100 to \$2,400; two messengers for service to press correspondents from \$1,620 each to \$1,920 each; in all, \$2,485; and the Legislative Branch Appropriation Act for the fiscal year 1948 hereby is amended accordingly.

*Ante*, p. 362.

For an amount necessary to increase the basic salary of one clerk from \$3,300 to \$3,480 beginning July 1, 1947, \$250; and the Legislative Branch Appropriation Act for the fiscal year 1948 hereby is amended accordingly.

*Ante*, p. 362.

## OFFICES OF THE SECRETARIES FOR THE MAJORITY AND THE MINORITY

For an amount necessary to increase basic salaries, beginning July 1, 1947, as follows: Clerks, one to the secretary for the majority and one to the secretary for the minority, from \$2,640 each to \$2,820 each; in all, \$500; and the Legislative Branch Appropriation Act for the fiscal year 1948 hereby is amended accordingly.

*Ante*, p. 363.

## JOINT COMMITTEE ON LABOR-MANAGEMENT RELATIONS

Contingent expenses, Senate: For salaries and expenses of the Joint Committee on Labor-Management Relations created by section 401 of the Labor Management Relations Act 1947 (Public Law 101, Eightieth Congress), \$100,000.

*Ante*, p. 160.

## TEMPORARY CONGRESSIONAL AVIATION POLICY BOARD

For salaries and expenses of the Temporary Congressional Aviation Policy Board created by the Act to establish a National Aviation Council, and for other purposes, to be available until March 1, 1948, and to be disbursed by the Secretary of the Senate on vouchers approved by the Chairman, \$40,000: *Provided*, That expenditures hereunder shall be made in accordance with the laws applicable to inquiries and investigations ordered by the Senate.

*Post*, p. 677.

Senate restaurants: For repairs, improvements, furnishings, and equipment for the Senate Restaurant, Capitol Building, including personal and other services, \$84,000, to be expended by the Architect of the Capitol under the supervision of the Senate Committee on Rules and Administration, without regard to section 3709 of the Revised Statutes, as amended.

*Ante*, p. 364; *post*, p. 696.

41 U. S. C. § 5.

## HOUSE OF REPRESENTATIVES

For payment to Bruce J. Mansfield, Margaret Mansfield Dorsey, and Jaquelin Mansfield Schmidt, son and daughters of Joseph Jefferson Mansfield, late a Representative from the State of Texas, \$12,500.

## SALARIES, MILEAGE, AND EXPENSES OF MEMBERS

For compensation, mileage, and expense allowances due and unpaid to Members of the House of Representatives, Seventy-ninth and prior Congresses, \$83,879.22.

*Ante*, p. 58.

## THE SPEAKER'S TABLE

For an additional amount for preparation of the Digest of the Rules, \$1,000.

*Ante*, p. 364.

## CONTINGENT EXPENSES OF THE HOUSE

Stationery: For an additional amount for stationery for Representatives, Delegates, and the Resident Commissioner from Puerto Rico, and for the second session, Seventy-ninth Congress, \$200; second session, Seventy-ninth Congress, additional, \$500; second session, Seventy-ninth Congress, second additional, \$750; first session, Eightieth Congress, additional, \$900; in all, \$2,350, to remain available until expended.

60 Stat. 398.

*Ante*, p. 59.

For payment to John C. Gall for services rendered as counsel appointed by the special subcommittee of the Committee on Appropriations, pursuant to H. Res. 386, Seventy-eighth Congress, \$7,500.

## COMMITTEE EMPLOYEES

*Ante*, p. 365.

Paragraph (e) section 202 of the "Legislative Reorganization Act of 1946", Public Law 601, Seventy-ninth Congress, approved August 2, 1946, is amended to read as follows: The professional staff members of the standing committees shall receive basic annual compensation, to be fixed by the chairman, ranging from \$5,000 to \$8,000 and the clerical staff shall receive basic annual compensation up to \$8,000.

60 Stat. 835.

2 U. S. C. § 72a(e).

Compensation.



## ARCHITECT OF THE CAPITOL

Senate Office Building: To enable the Architect of the Capitol to carry out the provisions of section 2 of the Act entitled "An Act to authorize the preparation of preliminary plans and estimates of cost for an additional office building for the use of the United States Senate", approved July 11, 1947, \$15,000.

*Ante*, p. 307.

## LIBRARY OF CONGRESS

## CONTINGENT EXPENSES OF THE LIBRARY

Penalty mail costs, Library of Congress: For an additional amount for "Penalty mail costs, Library of Congress", fiscal year 1946, \$1,900.

59 Stat. 255.

Penalty mail costs, Library of Congress: For an additional amount for "Penalty mail costs, Library of Congress", fiscal year 1947, \$9,000.

60 Stat. 404.

## THE JUDICIARY

## UNITED STATES COURTS FOR THE DISTRICT OF COLUMBIA

Plans and specifications for a courthouse for the United States Court of Appeals and District Court of the United States for the District of Columbia: To enable the Commissioner of Public Buildings to carry out the provisions of section 5 of the Act of May 29, 1947 (Public Law 80), and the Commissioner of Public Buildings hereafter shall exercise all the powers, and perform all the duties conferred on the Architect of the Capitol by sections 1 and 5 of such Act, \$370,000.

*Ante*, p. 121.

*Ante*, pp. 120, 121.

## EXECUTIVE OFFICE OF THE PRESIDENT

## OFFICE FOR EMERGENCY MANAGEMENT

## OFFICE OF DEFENSE TRANSPORTATION

Salaries and expenses: For all necessary expenses of the Office of Defense Transportation, including salary of the Director at not to exceed \$12,000, and the Deputy Director at \$10,000, traveling expenses (not to exceed \$50,000), including attendance at meetings of organizations concerned with the work of the agency; services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); printing and binding (not to exceed \$10,000); not to exceed \$4,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944; personal services in the District of Columbia and elsewhere; \$400,000: *Provided*, That the payment of subsistence to witnesses shall be subject to certification by the Director of the Office of Defense Transportation or his designee, as to the necessity therefor: *Provided further*, That in operating any commercial railroad or truck line the Office of Defense Transportation shall pay whatever license or inspection fees and highway use compensation taxes such lines would have been obligated to pay had they continued in operation under the control of the owners thereof.

Travel expenses.

60 Stat. 810.  
5 U. S. C. § 55a.

58 Stat. 394.  
39 U. S. C. §§ 321c-321h.  
*Ante*, p. 450.  
Subsistence to witnesses.

License or inspection fees; taxes.

## OFFICE OF SCIENTIFIC RESEARCH AND DEVELOPMENT

For expenses necessary, for completing the liquidation of the Office of Scientific Research and Development, to be accomplished by said agency or such other agency as the President may designate pursuant to the First Supplemental Surplus Appropriation Rescission Act, 1946, including personal services in the District of Columbia; printing and binding; and not to exceed \$400 for deposit in the general fund of the

Liquidation.

60 Stat. 6.

Treasury for cost of penalty mail: *Provided*, That the Office of Scientific Research and Development or the agency designated to accomplish the liquidation thereof may exercise, in connection with said liquidation, the authority with respect to the disposal of property contained in the appropriation of the Office of Scientific Research and Development for the fiscal year 1947, \$90,000.

Disposal of property.

60 Stat. 606.

### ASSISTANCE TO GREECE AND TURKEY

Assistance to Greece and Turkey: To enable the President to carry out the provisions of the Act of May 22, 1947 (Public Law 75), \$400,000,000, which shall be available for personal services without regard to section 607 of the Federal Employees Pay Act of 1945, as amended by section 14 of the Federal Employees Pay Act of 1946, and including not to exceed \$4,500,000 for administrative expenses, of which not to exceed \$300,000 shall be available for expenditure in the District of Columbia.

*Ante*, p. 103.

59 Stat. 304.  
5 U. S. C. § 947.  
60 Stat. 219.  
5 U. S. C. § 947 (g).

### DEFENSE AID, LIQUIDATION LEND-LEASE PROGRAM

For the liquidation by the Treasury Department in the fiscal year 1948 of activities under the Act to promote the defense of the United States, approved March 11, 1941, \$500,000: *Provided*, That the foregoing amount shall be available for expenditure in connection with shipment of commodities contracted for prior to January 1, 1947 (but not heretofore shipped), for the account of only Australia, Belgium, Guatemala, China, France, Saudi Arabia, Brazil, Peru, the United Kingdom, and the Netherlands.

55 Stat. 31.  
22 U. S. C. §§ 411-419.  
*Ante*, p. 450.

### RELIEF ASSISTANCE TO WAR-DEVASTATED COUNTRIES

Relief assistance to war-devastated countries: To enable the President to carry out the provisions of the joint resolution providing for relief assistance to countries devastated by war, approved May 31, 1947 (Public Law 84), \$332,000,000: *Provided*, That not to exceed \$600,000 shall be available for the administrative expenses of the Department of State incident to the foregoing, to be allocated to and consolidated with such appropriations of the Department of State as the Secretary of State may determine: *Provided further*, That (except from funds allocated therefrom by the President as contributions to the International Children's Emergency Fund of the United Nations under the provisions of said Public Law 84) no relief assistance shall be provided under this appropriation to the people of any country unless the government of such country has given assurance satisfactory to the President that (a) the supplies transferred or otherwise made available pursuant to this appropriation, as well as similar supplies produced locally or imported from outside sources, will be distributed among the people of such country without discrimination as to race, creed, or political belief; (b) representatives of the Government of the United States and of the press and radio of the United States will be permitted to observe freely and to report fully regarding the distribution and utilization of such supplies; (c) full and continuous publicity will be given within such country as to the purpose, source, character, scope, amounts and progress of the United States relief program carried on therein pursuant to this appropriation; (d) if food, medical supplies, fertilizer, or seed is transferred or otherwise made available to such country pursuant to this appropriation, no articles of the same character will be exported or removed from such country while need therefor for relief purposes

*Ante*, pp. 125, 270;  
*post*, pp. 942, 948.  
Administrative expenses.

Conditions for relief assistance.

*Supra*.

Transportation of  
voluntary relief sup-  
plies.

continues; (e) such country has taken or is taking, insofar as possible, the economic measures necessary to reduce its relief needs and to provide for its own future reconstruction; (f) upon request of the President, it will furnish promptly information concerning the production, use, distribution, importation, and exportation of any supplies which affect the relief needs of the people of such country; (g) representatives of the Government of the United States will be permitted to supervise the distribution among the people of such country of the supplies transferred or otherwise made available pursuant to this appropriation; (h) provision will be made for a control system so that all classes of people within such country will receive their fair share of essential supplies; and (i) all supplies transferred pursuant to this appropriation or acquired through the use of credits established pursuant to law and any articles processed from such supplies, or the containers of such supplies or articles, will, to the extent practicable, be marked, stamped, branded, or labeled in a conspicuous place as legibly, indelibly, and permanently as the nature of such supplies, articles, or containers will permit in such manner as to indicate to the ultimate consumer in such country that such supplies or articles have been furnished by the United States of America for relief assistance; or if such supplies, articles, or containers are incapable of being so marked, stamped, branded, or labeled, that all practicable steps will be taken to inform the ultimate consumers thereof that such supplies or articles have been furnished by the United States of America for relief assistance: *Provided further*, That subject to the limitations and requirements of this paragraph this appropriation shall be available for the transportation of voluntary relief supplies shipped by relief agencies licensed for operation in Europe and in Asia including the occupied areas under such regulations as the Secretary of State may prescribe.

#### SURPLUS PROPERTY, CARE AND HANDLING OVERSEAS

58 Stat. 765.  
50 U. S. C. app.  
§§ 1611-1646.  
Post, p. 678.  
50 U. S. C. app.  
§ 601 note.

Reimbursement.

Surplus property, care and handling overseas: To enable the President, through the War and Navy Departments and the United States Commercial Company during the fiscal years 1947 and 1948, to carry out the provisions of the Surplus Property Act of 1944, as amended, and paragraph 8 of Executive Order 9630 of September 27, 1945, with respect to care and handling of surplus property outside continental United States, \$35,348,000, of which \$32,000,000 shall be available to the War Department and \$3,348,000 to the Navy Department for reimbursement of appropriations, funds, or accounts of said agencies from which expenditures have been or may be made for the foregoing purposes and in addition military appropriations may be expended for such purposes, not exceeding \$15,000,000, in contemplation of reimbursement if justified: *Provided*, That none of the funds herein appropriated shall be available for reimbursement for pay and allowances or subsistence of military or naval personnel.

#### UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION

Ante, p. 260.

60 Stat. 603.

Liquidation of United Nations Relief and Rehabilitation Administration program: To enable the President to carry out the provisions of the Act of July 8, 1947 (Public Law 164), not to exceed \$1,900,000 of the unobligated and unallocated balances as of June 30, 1947, of the appropriation "United Nations Relief and Rehabilitation Administration" provided under the Third Deficiency Appropriation Act, 1946,

shall be available during the fiscal year 1948 for administrative expenses incident to the liquidation of activities under said appropriation.

## INDEPENDENT OFFICES

### FEDERAL MEDIATION AND CONCILIATION SERVICE

Salaries and expenses: For necessary expenses for the Federal Mediation and Conciliation Service as provided in the Labor-Management Relations Act, 1947 (Public Law 101), including printing and binding, penalty mail costs; temporary employment of arbitrators, conciliators, and mediators on labor relations at rates not in excess of \$35 per diem; expenses of the Labor-Management Panel as provided in section 205 of said Act; not to exceed \$3,000 for attendance at meetings of organizations concerned with labor and industrial relations, when incurred on the written authority of the Director, \$1,320,000: *Provided*, That in making apportionments pursuant to section 3679 of the Revised Statutes, as amended, the entire sum herein appropriated may, if found necessary by the Bureau of the Budget for effective administration, be apportioned for obligation prior to February 15, 1948: *Provided further*, That all property used or held in connection with the functions of the United States Conciliation Service is hereby transferred to the Federal Mediation and Conciliation Service, effective August 22, 1947.

*Ante*, p. 153.

*Ante*, p. 154.

31 U. S. C. § 665.

Transfer of property.

Boards of inquiry: To enable the Federal Mediation and Conciliation Service to pay necessary expenses of boards of inquiry appointed by the President pursuant to section 206 of the Labor-Management Relations Act, 1947 (Public Law 101), including printing and binding, contract stenographic reporting services, and rent in the District of Columbia, \$90,000: *Provided*, That in making apportionments pursuant to section 3679 of the Revised Statutes, as amended, the entire sum herein appropriated may, if found necessary by the Bureau of the Budget for effective administration, be apportioned for obligation prior to February 15, 1948.

*Ante*, p. 155.

31 U. S. C. § 665.

### FEDERAL SECURITY AGENCY

#### FOOD AND DRUG ADMINISTRATION

Certification services: For an additional amount for "Certification services", \$100,000.

*Ante*, p. 265.

#### HOWARD UNIVERSITY

Salaries and expenses: For an additional amount for "Salaries and expenses", \$181,000.

*Ante*, p. 266.

#### PUBLIC HEALTH SERVICE

National Institute of Health, operating expenses: For an additional amount for the activities of the National Institute of Health, \$500,000, including the objects specified under this head in the Federal Security Agency Appropriation Act, 1948, to be expended for research activities related to cardiovascular diseases.

*Ante*, p. 269.

#### SOCIAL SECURITY ADMINISTRATION

Grants to States for unemployment-compensation administration: For an additional amount for "Grants to States for unemployment compensation administration", \$8,026,000.

*Ante*, p. 272.

## OFFICE OF THE ADMINISTRATOR

60 Stat. 696.

**Civilian war benefits:** For payments of benefits, to enable the Federal Security Administrator to continue the civilian war benefits program as provided for under this head in title II of the Labor-Federal Security Appropriation Act, 1947, \$100,000.

## FEDERAL WORKS AGENCY

## PUBLIC ROADS ADMINISTRATION

55 Stat. 768.

**Damage claims:** For the payment of claims for damage to roads and highways under the Defense Highway Act of 1941, as amended (23 U. S. C. 110), as follows: "The Commissioner of Public Roads is authorized to reimburse the several States for the necessary rehabilitation or repair of roads and highways of States or their subdivisions substantially damaged by the Army, or the Navy, or both, by any other agency of the Government, and so forth", as fully set forth in Senate Document Numbered 88 and House Document Numbered 353, Eightieth Congress, \$435,440.42.

*Ante*, p. 574.

## HOUSING EXPEDITER

## OFFICE OF RENT CONTROL

50 U. S. C. app.  
§ 601 note.  
12 F. R. 2645.

60 Stat. 810.  
5 U. S. C. § 55a.

58 Stat. 394.  
39 U. S. C. §§ 321c-  
321h.  
*Ante*, p. 450.

**Salaries and expenses, Office of Rent Control:** For expenses necessary to carry out provisions of law and Executive Orders 9809 and 9841 relative to rent control, including personal services in the District of Columbia; services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), at rates not to exceed \$35 per diem for individuals; printing and binding; test rentals for enforcement purposes, authorization in each case to have prior approval of the Housing Expediter, or the Deputy Expediter, Rent Control, or the Regional Rent Administrator in the region in which the transaction is contemplated; hire of passenger motor vehicles; attendance at meetings of organizations concerned with rent control; and not to exceed \$175,000 for deposit in the Treasury for cost of penalty mail as required by the Act of June 28, 1944; \$18,074,000: *Provided*, That any employee of the Office of Rent Control is authorized and empowered, when designated for the purpose by the head of the Office, to administer to or take from any person an oath, affirmation, or affidavit when such instrument is required in connection with the performance of the functions or activities of said Office.

## INDIAN CLAIMS COMMISSION

60 Stat. 1049.  
25 U. S. C. §§ 70-  
70v; 28 U. S. C.  
§§ 259, 259a.  
58 Stat. 394.  
39 U. S. C. §§ 321c-  
321h.  
*Ante*, p. 450.

**Salaries and expenses:** For expenses necessary to carry out the purposes of the Act of August 13, 1946 (Public Law 726), creating an Indian Claims Commission, including personal services in the District of Columbia; printing and binding; and penalty mail costs as required by the Act of June 28, 1944, \$150,000.

## NATIONAL LABOR RELATIONS BOARD

*Ante*, p. 276.  
31 U. S. C. § 665.

The appropriations made in the National Labor Relations Board Appropriation Act, 1948, under the titles "Salaries", "Miscellaneous expenses", "Penalty mail costs", and "Printing and binding" are hereby consolidated under the title "Salaries and expenses", which such total amount may be apportioned, pursuant to section 3679 of the Revised Statutes, as amended, if found necessary by the Bureau of the Budget for effective administration, for obligation during the period prior to February 1, 1948, and there is hereby appropriated an additional amount of \$1,000,000 which shall be held in reserve and

shall be available for apportionment for obligation prior to February 1, 1948, only if found necessary by the Bureau of the Budget for effective administration: *Provided*, That such sums shall be available for expenses necessary (including salaries of five Board members and a general counsel) in accordance with the provisions of the Labor-Management Relations Act, 1947 (Public Law 101), to perform the functions vested in the National Labor Relations Board by said Act, and other law.

*Ante*, p. 136.

#### OFFICE OF SELECTIVE SERVICE RECORDS

Salaries and expenses: For expenses necessary for the operation and maintenance of the Office of Selective Service Records as authorized by the Act of March 31, 1947 (Public Law 26), including not to exceed \$100,000 for printing and binding; personal services in the District of Columbia; contract stenographic reporting services; not to exceed \$32,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by the Act of June 28, 1944; and a health-service program for employees as authorized by the Act of August 8, 1946 (Public Law 658), \$4,250,000.

*Ante*, pp. 31, 108.

58 Stat. 394.  
39 U. S. C. §§ 321c-321h.  
*Ante*, p. 450.  
60 Stat. 903.  
5 U. S. C. § 150.

#### VETERANS' ADMINISTRATION

Automobiles and other conveyances for disabled veterans: For an additional amount for "Automobiles and other conveyances for disabled veterans", \$5,000,000, to be available for the purposes specified under this head in the Act of August 8, 1946 (Public Law 663).

*Ante*, p. 244.

60 Stat. 915.  
38 U. S. C. § 252.

### DEPARTMENT OF AGRICULTURE

#### AGRICULTURAL RESEARCH ADMINISTRATION

##### BUREAU OF ANIMAL INDUSTRY

Animal husbandry: For an additional amount for "Animal husbandry", \$17,900.

*Ante*, p. 531.

The appropriation, "Eradication of Foot-and-Mouth and Other Contagious Diseases of Animals", in the Department of Agriculture Appropriation Act, 1948, is hereby amended to read as follows:

*Ante*, pp. 245, 532.

For expenses necessary, including personal services in the District of Columbia, in the arrest and eradication of foot-and-mouth disease, rinderpest, contagious pleuropneumonia, or other contagious or infectious diseases of animals, or European fowl pest and similar diseases in poultry, including the payment of claims growing out of past and future purchases and destruction of animals (including poultry) affected by or exposed to, or of materials contaminated by or exposed to, any such disease, wherever found and irrespective of ownership, under like or substantially similar circumstances, when such owner has complied with all lawful quarantine regulations; and for foot-and-mouth disease and rinderpest programs undertaken pursuant to the provisions of the Act of February 28, 1947 (Public Law 8, Eightieth Congress), and the Act of May 29, 1884, as amended (7 U. S. C., 391; 21 U. S. C., 111-122), including expenses in accordance with section 2 of said Public Law 8, \$100,000, together with such sums (which may be transferred to and made a part of this appropriation) from other appropriations or funds available to the bureaus, corporations, or agencies of the Department as the Secretary may deem necessary, to be available, only in an emergency which threatens the livestock or poultry industry of the country: *Provided*, That, except for payments made pursuant to said Public Law 8, the payment for such animals hereafter purchased may be made on appraisalment based on the meat, egg-production, dairy, or breeding value, but in case of

*Ante*, p. 7.  
23 Stat. 31.

*Ante*, p. 7.

Basis of appraisalment.

Group appraisal of  
poultry.

appraisement based on breeding value no appraisement of any such animal shall exceed three times its meat, egg-production, or dairy value, and, except in case of an extraordinary emergency, to be determined by the Secretary, the payment by the United States Government for any such animals shall not exceed one-half of any such appraisements: *Provided further*, That poultry may be appraised in groups when the basis for appraisal is the same for each bird.

## PRODUCTION AND MARKETING ADMINISTRATION

### MARKETING SERVICES

*Ante*, p. 545.

36 Stat. 331.  
*Ante*, p. 172.  
*Ante*, p. 163.

Insecticide Act: For an additional amount for "Marketing services, Insecticide Act", \$75,000, to be merged with the appropriation under this head in the Department of Agriculture Appropriation Act, 1948, such total funds to be available for carrying out the purposes of the Act of April 26, 1910 (7 U. S. C. 121-134), and the Act of June 25, 1947 (Public Law 104), of which not to exceed \$4,000 may be used for construction of buildings, and the limitation on personal services in the District of Columbia under "Marketing services" is hereby increased by \$22,500.

### SUGAR RATIONING ADMINISTRATION

*Ante*, p. 245.

*Ante*, p. 35.

60 Stat. 810.  
5 U. S. C. § 55a.

*Ante*, p. 245.

*Ante*, p. 524.

58 Stat. 394.  
39 U. S. C. §§ 321c-  
321h.  
*Ante*, p. 450.

Salaries and expenses: For expenses necessary to enable the Secretary of Agriculture to perform the functions and duties vested in him by the Sugar Control Extension Act of 1947 (Public Law 30), including personal services in the District of Columbia; services as authorized by section 15 of the Act of August 2, 1946; printing and binding; not to exceed \$10,000 for test purchases of commodities and ration currency for enforcement purposes; and hire of passenger motor vehicles, \$210,000, together with the sum appropriated for the Sugar Rationing Administration in the Emergency Appropriation Act, 1948 (Public Law 161), which is transferred to and made a part hereof: *Provided*, That not to exceed \$20,000 may be transferred to the regular departmental appropriation for penalty mail as required by the Act of June 28, 1944.

## DEPARTMENT OF COMMERCE

### OFFICE OF THE SECRETARY

*Post*, p. 698.

*Ante*, p. 321.

53 Stat. 812; 60 Stat.  
598.  
50 U. S. C. § 98e(a).  
*Ante*, p. 24.

60 Stat. 810.  
5 U. S. C. § 55a.

*Ante*, p. 299; *post*,  
p. 698.

*Ante*, p. 24.

*Ante*, p. 294; *post*,  
p. 698.

Materials distribution and liquidation of Office of Temporary Controls: For expenses necessary for carrying out the purposes of the Act of July 15, 1947 (Public Law 188), section 6 (a) of the Act of June 7, 1939, as amended by the Act of July 23, 1946 (Public Law 520), and those provisions of the Act of March 29, 1947 (Public Law 24), which relate to controls over the production, distribution, and use of rubber, and for the liquidation of the Civilian Production Administration, the Office of Price Administration, the Office of War Mobilization and Reconversion, and all other functions of the former Office of Temporary Controls, including personal services in the District of Columbia and temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), \$950,000, of which \$500,000 shall be transferred to the appropriation "Salaries and expenses, Bureau of Foreign and Domestic Commerce" of which amount \$187,000 shall be available only for carrying out the provisions of Public Law 24 (Eightieth Congress); and of the \$950,000 herein provided, not to exceed \$8,000 may be transferred to the appropriation "Printing and binding, Department of Commerce" and not to exceed \$1,500 may be

transferred to the appropriation "Penalty mail costs, Department of Commerce".

Section 203 (a) of the Emergency Price Control Act of 1942, as amended, is amended by striking out the period at the end of the first sentence thereof, inserting a comma, and adding the following new material: "*Provided, however,* That a protest setting forth objections to any provisions of such regulation, order, or price schedule with respect to which responsibility was transferred to the Department of Commerce by Executive Order 9841 may not be filed more than one hundred and twenty days after issuance of such regulation, order, or price schedule or sixty days after the enactment of this amendment, whichever is the later."

Section 204 (e) of the Emergency Price Control Act of 1942, as amended, is amended by striking out the first sentence and substituting the following: "Within sixty days after the date of enactment of this amendment, or within sixty days after arraignment in any criminal proceedings and within sixty days after commencement of any civil proceedings brought pursuant to section 205 of this Act or section 37 of the Criminal Code, involving alleged violation of any provision of any regulation or order issued under section 2 or alleged violation of any price schedule effective in accordance with the provisions of section 206 with respect to which responsibility was transferred to the Department of Commerce by Executive Order 9841, the defendant may apply to the court in which the proceeding is pending for leave to file in the Emergency Court of Appeals a complaint against the Administrator setting forth objections to the validity of any provision which the defendant is alleged to have violated or conspired to violate."

The last paragraph of section 205 (e) of the Emergency Price Control Act of 1942, as amended, is amended by inserting at the end of the first sentence thereof the following new sentence: "The Administrator shall not be required to make any determination under this section unless the manufacturer makes application to the Administrator for such determination within sixty days after the date of this enactment, or within sixty days after institution of the enforcement action in which such manufacturer is involved, whichever is the later."

Nothing herein shall be construed as in any way affecting the right of the United States or any officer thereof to dismiss any protest under section 203 of the Emergency Price Control Act of 1942, as amended, or defend against any complaint under section 204 (e) of such Act on the ground of laches.

#### CIVIL AERONAUTICS ADMINISTRATION

Salaries and expenses: For an additional amount for "Salaries and expenses", \$39,520.

Establishment of air-navigation facilities: For an additional amount for "Establishment of air-navigation facilities", \$40,000, of which not to exceed \$1,750 may be transferred to the appropriation "Salaries and expenses, Civil Aeronautics Administration", for necessary administrative costs.

#### BUREAU OF FOREIGN AND DOMESTIC COMMERCE

Export control: For expenses necessary to carry out the purposes of section 6 of the Act of July 2, 1940, as amended (50 U. S. C. App. 701), and as further amended by the Act of May 23, 1946 (Public Law 389), and the Act of July 15, 1947 (Public Law 188), including personal services in the District of Columbia, of which not to exceed \$14,000 shall be available for printing and binding, and not to exceed

*Ante*, p. 295.

56 Stat. 31.  
50 U. S. C. app.  
§ 923 (a).

Filing of protest.

12 F. R. 2645.

58 Stat. 639.  
50 U. S. C. app.  
§ 924 (e).  
Application to file  
complaint.

56 Stat. 33.  
50 U. S. C. app.  
§ 925.  
35 Stat. 1096.  
18 U. S. C. § 88.  
56 Stat. 24.  
50 U. S. C. app.  
§ 902.  
56 Stat. 35.  
50 U. S. C. app.  
§ 926.  
12 F. R. 2645.

56 Stat. 34.  
50 U. S. C. app.  
§ 925 (e).  
Application for de-  
termination by manu-  
facturer.

56 Stat. 31; 58 Stat.  
639.  
50 U. S. C. app.  
§§ 923, 924 (e).  
*Supra*.

*Ante*, p. 296.

*Ante*, p. 296.

54 Stat. 714.  
60 Stat. 215.  
*Ante*, pp. 214, 323;  
*post*, p. 946.

Penalty mail.



*Ante*, p. 295.

*Ante*, p. 299.

\$13,500 may be transferred to the appropriation "Penalty mail costs, Department of Commerce", \$675,000.

Field office service: For an additional amount for "Field office service", \$10,000.

## DEPARTMENT OF THE INTERIOR

### OFFICE OF THE SECRETARY

#### WAR AGENCY LIQUIDATION

*Ante*, pp. 245, 460.

3 CFR, Cum. Supp.,  
p. 1123.

3 CFR, 1946 Supp.,  
pp. 133, 153.

Funds from operation of coal mines, etc.

3 CFR, 1946 Supp.,  
pp. 133, 153.

War Agency Liquidation: For an additional amount, for "War agency liquidation", including liquidation of War Relocation Authority program provided for in Executive Order 9102 and the President's message to Congress of June 12, 1944 (House Document 656); the Coal Mines Administration established pursuant to Executive Orders 9728 and 9758; and the functions authorized by the appropriation "Emergency fund, Territories and island possessions (national defense), Department of the Interior", contained in the Act of December 23, 1941 (55 Stat. 856); and reimbursement to the Navy Department for pay and allowances and travel expenses (except terminal leave which expenses shall be borne by the Navy Department) of officers and enlisted personnel detailed to the Coal Mines Administration; \$175,000, which amount shall be merged with and constitute one fund with the appropriation to which added, said fund to be available for all the purposes of this and said other appropriation: *Provided*, That funds derived from the operation of coal mines by the Coal Mines Administration for and at the risk of the Federal Government are hereby made available for settlement and other liquidating costs of such operations: *Provided further*, That not to exceed \$12,600 of this appropriation is hereby made available for expenses incurred on and after June 30, 1947, in liquidating operations of those coal mines which have been operated for the account and at the risk of the Federal Government, which sum may be expended without regard to the provisions of any law regulating expenditures of Government funds or the employment of persons in the Government service that did not apply to the expenditure of funds in the operation of such mines under Executive Orders 9728 and 9758.

#### BONNEVILLE POWER ADMINISTRATION

*Ante*, p. 462.

*Ante*, p. 462.

Idaho Panhandle  
facilities.  
*Ante*, p. 462.

Construction, operation, and maintenance, Bonneville power transmission system: For an additional amount "Construction, operation, and maintenance, Bonneville power transmission system", \$1,184,700, and in addition to the contract authorization included in the Interior Department Appropriation Act, 1948, the Administrator is authorized to contract in the fiscal year 1948 for materials and equipment for power transmission facilities in an amount not in excess of \$790,600.

In addition to the contract authorization contained in the Interior Department Appropriation Act, 1948, and the additional contract authorization contained herein, the Administrator is authorized to contract in the fiscal year 1948 for materials and equipment for the Idaho Panhandle power transmission facilities in an amount not in excess of \$489,000.

#### BUREAU OF INDIAN AFFAIRS

Purchase and transportation of Indian supplies: For an additional amount, fiscal year 1947, for "Purchase and transportation of Indian supplies", \$400,000.

60 Stat. 354.

The funds appropriated under title II of the Second Deficiency Appropriation Act, 1947, to meet increased pay costs under the appropriation title "Education of Indians, 1947", may also be used for payment of tuition for Indian children enrolled in public schools.

*Ante*, p. 115.

Conservation of health: For an additional amount for "Conservation of health", \$302,300.

*Ante*, p. 465.

#### MISCELLANEOUS INDIAN TRIBAL FUNDS

Expenses of tribal councils or committees thereof (tribal funds): For an additional amount, fiscal year 1947, for "Expenses of tribal councils or committees thereof (tribal funds)", \$10,000, payable from funds on deposit to the credit of the particular tribe interested.

60 Stat. 360.

#### NATIONAL PARK SERVICE

National parks: For an additional amount for "National parks", \$65,000.

*Ante*, p. 483.

National monument, historical, and military areas: For an additional amount for "National monument, historical, and military areas", including \$18,000 for parking areas, sidewalks, and stairway at Mount Rushmore National Memorial, \$45,000.

*Ante*, p. 483.

#### FISH AND WILDLIFE SERVICE

##### SALARIES AND EXPENSES

Maintenance of mammal and bird reservations: For an additional amount for "Maintenance of mammal and bird reservations", \$40,000.

*Ante*, p. 487.

#### DEPARTMENT OF LABOR

##### OFFICE OF THE SECRETARY

Salaries and expenses, Office of Solicitor: For an additional amount for "Salaries and expenses, Office of Solicitor", \$75,000.

*Ante*, p. 261.

Contingent expenses: For an additional amount for "Contingent expenses", \$15,000.

*Ante*, p. 261.

Printing and binding: For an additional amount for "Printing and binding", \$15,000.

*Ante*, p. 261; *post*, p. 700.

Penalty mail costs: For an additional amount for "Penalty mail costs", \$3,000.

*Ante*, p. 261; *post*, p. 700.

For expenses necessary to enable the Secretary of Labor to carry out the provisions of section 5 (a) of the Act of March 31, 1947 (Public Law 26, Eightieth Congress), and to render assistance in connection with the exercise of reemployment rights under Public Law 87, Seventy-eighth Congress, as amended, and the Selective Training and Service Act of 1940, as amended, including personal services in the District of Columbia, \$500,000.

*Ante*, p. 32.

57 Stat. 162.  
50 U. S. C. app.  
§§ 1471-1475.  
*Ante*, p. 454.  
54 Stat. 885.  
50 U. S. C. app.  
§§ 301-318.  
*Ante*, p. 263.

##### WAGE AND HOUR DIVISION

Salaries: For an additional amount for "Salaries", \$500,000, and the limitation on departmental salaries is hereby increased by \$50,000.

Miscellaneous expenses: For an additional amount for "Miscellaneous expenses", \$40,000.

#### UNITED STATES EMPLOYMENT SERVICE

*Ante*, p. 262.

General administration: For an additional amount for "General administration", \$201,000.

Grants to States for public employment offices: For an additional amount for "Grants to States for public employment offices", \$7,460,000.

## REDUCTION IN APPROPRIATION

*Ante*, p. 261.

The appropriation "Traveling expenses, Department of Labor, 1948", is hereby reduced by \$360,000 and such amount shall be carried to the surplus fund and covered into the Treasury immediately upon the approval of this Act.

## NAVY DEPARTMENT

## OFFICE OF THE SECRETARY

59 Stat. 662.

Damage claims: For the payment of claims for damage to or loss or destruction of property or personal injury or death adjusted and determined by the Secretary of the Navy under the provisions of the Act entitled "An Act to provide the Navy with a system of laws for the settlement of claims uniform with that of the Army", approved December 28, 1945 (31 U. S. C. 223d), as fully set forth in Senate Document Numbered 82 and House Document Numbered 350, Eightieth Congress, \$59,494.56.

Damage claims: For payment of claims for death or personal injury, under the provisions of Public Law 224, approved November 15, 1945 (59 Stat. 582), as fully set forth in Senate Document Numbered 87 and House Document Numbered 349, Eightieth Congress, \$1,321,019.10.

## BUREAU OF SUPPLIES AND ACCOUNTS

## FUEL AND TRANSPORTATION, NAVY

57 Stat. 205.

Fuel and transportation, Navy: For an additional amount, fiscal year 1944, for "Fuel and transportation, Navy", \$730,000.

## CONTINGENT AND MISCELLANEOUS EXPENSES, HYDROGRAPHIC OFFICE

57 Stat. 214.

"Contingent and miscellaneous expenses, Hydrographic Office", fiscal year 1944, \$63,507.

## DEPARTMENT OF STATE

## DEPARTMENT SERVICE

*Ante*, p. 279.

Salaries and expenses, Department of State: The limitation of \$20,000 contained in the Department of State Appropriation Act, 1948, for the employment of aliens and temporary employment of persons in the United States, without regard to civil service and classification laws, is hereby increased to \$40,000.

*Ante*, p. 280.

North Atlantic fisheries: The appropriation "North Atlantic fisheries", contained in the Department of State Appropriation Act, 1948, is hereby made available, on and after July 1, 1947, for personal services in the District of Columbia and elsewhere; temporary employment of persons without regard to the civil-service laws and the Classification Act of 1923, as amended; and attendance at meetings of organizations concerned with the activity for which this appropriation was made.

42 Stat. 1488.  
5 U. S. C. §§ 661-674.

## FOREIGN SERVICE

*Ante*, p. 279.*Ante*, p. 281.*Ante*, p. 280.

Salaries and expenses, Foreign Service: There is hereby transferred the sum of \$400,000 from the appropriation "Salaries and expenses, Department of State, 1948", and the sum of \$100,000 from the appropriation "Living and quarters allowances, Foreign Service, 1948", in all, \$500,000, to the appropriation "Salaries and expenses, Foreign Service, 1948".

## INTERNATIONAL OBLIGATIONS AND ACTIVITIES

**International activities:** The limitation of \$75,000 contained in the Department of State Appropriation Act, 1948, for entertainment and representation allowances as authorized by section 901 (3) of the Act of August 13, 1946 (Public Law 724), is hereby made available for both entertainment and representation allowances.

*Ante*, p. 284.

60 Stat. 1026.  
22 U. S. C. § 1131 (3).

**The Institute of Inter-American Affairs:** The amount made available under this head for administrative expenses for the fiscal year 1948 is hereby increased in the amount of \$116,000, said amount to be for the payment of rent as required in section 306 of the Government Corporations Appropriation Act, 1948.

*Ante*, p. 582.

*Ante*, p. 584.

**Inter-American Educational Foundation, Incorporated:** The amount made available under this head for administrative expenses for the fiscal year 1948 is hereby increased in the amount of \$16,000, said amount to be for the payment of rent as required in section 306 of the Government Corporations Appropriation Act, 1948.

*Ante*, p. 582.

*Ante*, p. 584.

**International Refugee Organization:** For expenses necessary in carrying out the provisions of the Act of July 1, 1947 (Public Law 146), providing for membership and participation by the United States in the International Refugee Organization, including attendance at meetings of societies or associations concerned with the work of the Organization; printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111), and section 3709 of the Revised Statutes, as amended (41 U. S. C. 5); and the hire of passenger motor vehicles, \$71,073,900.

*Ante*, p. 214.

40 Stat. 1270.

**United States participation in United Nations:** The appropriation "United States participation in United Nations," contained in the Department of State Appropriation Act, 1948, is hereby made available in an amount not exceeding \$15,000 per annum for the furnishing of living quarters for the use of the Representative of the United States at the seat of the United Nations and this shall be accomplished by utilizing the authority contained in the second proviso of the appropriation "Salaries and expenses, Foreign Service," in the Department of State Appropriation Act, 1948, with respect to the furnishing of living quarters for the use of the Foreign Service; and for making allotments to the United States Mission to the United Nations to defray the unusual expenses incident to the maintenance of an official residence for the United States Representative to the United Nations in the same manner that such allotments are authorized to Foreign Service Posts by section 902 of the Foreign Service Act of 1946 (Public Law 724).

*Ante*, p. 283.

*Ante*, p. 281.

60 Stat. 1026.  
22 U. S. C. § 1132.

## TREASURY DEPARTMENT

## OFFICE OF THE SECRETARY

**Refunds under Renegotiation Act:** To enable the Secretary of the Treasury to make refunds required by section 403 (a) (4) (D) (relating to the recomputation of the amortization deduction) and by the last sentence of section 403 (i) (3) (relating to excess inventories) of the Renegotiation Act; and to refund any amount finally adjudged or determined to have been erroneously collected by the United States pursuant to a unilateral determination of excessive profits, with interest thereon (at a rate not to exceed 4 per centum per annum) as may be determined by the War Contracts Price Adjustment Board, such interest to be computed to the date of certification of the amount to the Treasury Department for payment: *Provided*, That to the extent refunds are made from this appropriation of excessive profits collected

58 Stat. 80, 89.  
50 U. S. C. app.  
§ 1191 (a) (4) (D), (i)  
(3).

Reimbursement.

Certification of  
amount.

under the Renegotiation Act and retained by the Reconstruction Finance Corporation or any of its subsidiaries, the Reconstruction Finance Corporation or the appropriate subsidiary shall reimburse this appropriation: *Provided further*, That the War Contracts Price Adjustment Board or its duly authorized representatives shall certify the amount of any refunds to be made in pursuance hereof to the Secretary of the Treasury who shall make payment upon such certificate in lieu of any voucher which might otherwise be required, \$7,500,000.

#### FOREIGN FUNDS CONTROL

40 Stat. 412, 415.

**Foreign funds control liquidation:** For expenses necessary in carrying out the functions of the Secretary of the Treasury under sections 3 and 5 (b) of the Act of October 6, 1917, as amended (50 U. S. C. (App.) 3, and 50 U. S. C. (App.) 5 (b) (Supp., 1941)), and any proclamations, orders, regulations, or instructions issued thereunder; and in exercising fiscal, financial, banking, property-control, and related functions, authorized by law, administered by the Treasury Department, including personal services, printing and binding, and reimbursement of any Federal Reserve Bank for printing and other expenditures, \$275,000.

*Ante*, p. 217.

#### OFFICE OF GENERAL COUNSEL

58 Stat. 649.  
41 U. S. C. §§ 101-  
125.  
*Ante*, p. 223.

**Salaries and expenses, Office of Contract Settlement:** For necessary expenses, including contract stenographic reporting services, to carry out the provisions of the Contract Settlement Act of 1944, \$75,000.

#### BUREAU OF FEDERAL SUPPLY

60 Stat. 596.  
50 U. S. C. §§ 98-98h.  
60 Stat. 810.  
5 U. S. C. § 55a.

Deposit of proceeds.

**Strategic and critical materials:** For necessary expenses in carrying out the provisions of the Strategic and Critical Materials Stock Piling Act of July 23, 1946, including personal services in the District of Columbia; services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600); and printing and binding; \$100,000,000, to be available until expended, and in addition thereto, contracts may be entered into for the purposes of said Act in an amount not in excess of \$75,000,000: *Provided*, That any funds received as proceeds from sale or other disposition of materials on account of the rotation of stocks under said Act shall be deposited to the credit, and be available for expenditure for the purposes, of this appropriation.

### WAR DEPARTMENT

#### MILITARY ACTIVITIES

*Ante*, p. 551.

#### OFFICE OF THE SECRETARY OF WAR

57 Stat. 372.

**Damage claims:** For the payment of claims for damage to or loss or destruction of property or personal injury or death adjusted and determined by the Secretary of War under the provisions of the Act entitled "An Act to provide for the settlement of claims for damage to or loss or destruction of property or personal injury or death caused by military personnel or civilian employees, or otherwise incident to activities of the War Department or of the Army", approved July 3, 1943 (31 U. S. C. 223b), as fully set forth in House Document Numbered 351, Eightieth Congress, \$15,405.48.

**Damage claims:** For the payment of claims for personal injury and damage to privately owned property, adjusted and determined by the Secretary of War under the Act entitled "An Act to provide for the prompt settlement of claims for damages occasioned by Army, Navy,

and Marine Corps forces in foreign countries", approved January 2, 1942, as amended April 22, 1943 (31 U. S. C. 224d), as fully set forth in House Document Numbered 354, Eightieth Congress, \$29,944.

55 Stat. 880; 57 Stat. 66.

Construction of buildings, utilities, and appurtenances, military posts: Title II of the Urgent Deficiency Appropriation Act, 1947, is hereby amended by deleting the figures "\$17,567,069" following the words "Construction of buildings, utilities, and appurtenances, military posts" under the head "Military activities", and inserting in lieu thereof the figures "\$7,692,956".

*Ante*, p. 22.

United States Spruce Production Corporation: The limitation on administrative expenses until January 1, 1947, contained under this head in title II of the Government Corporations Appropriation Act, 1947, is hereby increased from "\$10,000" to "\$14,720".

60 Stat. 595.

## CIVIL FUNCTIONS

### GOVERNMENT AND RELIEF IN OCCUPIED AREAS

*Post*, p. 943.

For expenses, not otherwise provided for, necessary to meet the responsibilities and obligations of the United States in connection with the government or occupation of certain foreign areas, including personal services in the District of Columbia and elsewhere; travel expenses and transportation; services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), at rates not in excess of \$35 per day and travel expenses for individuals; translation rights, photographic work, educational exhibits, and dissemination of information; expenses incident to the operation of schools for American children; printing and binding; hire of passenger motor vehicles and aircraft; repair and maintenance of buildings, utilities, facilities, and appurtenances; such minimum supplies for the civilian populations of such areas as may be essential to prevent starvation, disease, or unrest, prejudicial to the objectives sought to be accomplished; \$600,000,000: *Provided*, That when military personnel of the War Department are employed primarily for the purposes of this appropriation, the mileage and other travel allowances to which they may be entitled shall be paid herefrom: *Provided further*, That the general provisions of the Military Appropriation Act, 1948, shall apply to this appropriation: *Provided further*, That expenditures from this appropriation may be made outside continental United States, when necessary to carry out its purposes, without regard to sections 355, 1136, 3648, 3709, and 3734, Revised Statutes, as amended, civil-service or classification laws, or provisions of law prohibiting payment of any person not a citizen of the United States.

60 Stat. 810.  
5 U. S. C. § 55a.

Travel allowances.

*Ante*, p. 569.

40 U. S. C. § 255; 10 U. S. C. § 1339; 31 U. S. C. § 529; 41 U. S. C. § 5; 40 U. S. C. §§ 269, 267.

## TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS

### PROPERTY DAMAGE CLAIMS

SEC. 201. For the payment of claims for damages to or losses of privately owned property adjusted and determined by the following respective departments and independent offices under the provisions of the Act entitled "An Act to provide a method for the settlement of claims arising against the Government of the United States in the sum not exceeding \$1,000 in any one case", approved December 28, 1922 (31 U. S. C. 215), as fully set forth in Senate Document Numbered 78 and House Document Numbered 357, Eightieth Congress, as follows:

42 Stat. 1066.

Federal Security Agency, \$272.88;  
National Housing Agency, \$222.27;  
Department of the Interior, \$543.14;  
Treasury Department, \$4.83;  
In all, \$1,043.12.

## JUDGMENTS, UNITED STATES COURTS

43 Stat. 1113.

SEC. 202. (a) For the payment of final judgments which have been rendered under the provisions of an Act entitled "An Act authorizing suits against the United States in admiralty for damage caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes", approved March 3, 1925 (46 U. S. C. 787), and which have been certified to the Eightieth Congress in Senate Document Numbered 86 and House Document Numbered 352 under the United States Maritime Commission, \$71,963.45, and under the Navy Department, \$55,951.16; in all, \$127,914.61, together with an indefinite appropriation to pay interest as specified in such judgments or as provided by law.

24 Stat. 506.

36 Stat. 1168.

(b) For the payment of final judgments rendered against the Government of the United States by United States district courts under the provisions of the Act of March 3, 1887, as amended by section 297 of the Act of March 3, 1911 (28 U. S. C. 761), and which were certified to the Eightieth Congress in House Document Numbered 360 under the following agencies:

Department of Agriculture, \$6,218.33;

Treasury Department, \$500;

War Department, \$6,965.99;

In all, \$13,684.32; together with an indefinite appropriation to pay interest as specified in such judgments or as provided by law.

(c) For the payment of judgments numbered Civil 146, 3299, 3350, and 3396 rendered by United States district courts, and certified to the Eightieth Congress in Senate Document Numbered 84 and House Document Numbered 359 under the Treasury Department, \$48,300.61.

60 Stat. 842.  
28 U. S. C. §§ 921, 922,  
931-934, 941-945.  
Post, p. 722.

(d) For the payment of final judgments rendered against the Government of the United States by United States district courts under the provisions of the Federal Tort Claims Act (28 U. S. C. 931), and which were certified to the Eightieth Congress in Senate Document Numbered 80 and House Document Numbered 361 under the Navy Department, \$2,899.49, and under the War Department, \$3,022.24; in all, \$5,921.73, together with an indefinite appropriation to pay interest as specified in such judgments or as provided by law.

Payment.

(e) None of the judgments contained under this caption shall be paid until the right of appeal shall have expired except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise.

(f) Payment of interest wherever provided for judgments contained in this Act shall not in any case continue for more than thirty days after the date of approval of this Act.

## JUDGMENTS, UNITED STATES COURT OF CLAIMS

SEC. 203. (a) For payment of judgments rendered by the Court of Claims and reported to the Eightieth Congress in Senate Document Numbered 85 and House Document Numbered 362 under the following agencies, namely:

United States Maritime Commission, \$92,027.10;

Federal Works Agency, \$44,973.85;

Department of Justice, \$110,916.19;

Navy Department, \$26,893.02;

Treasury Department, \$146,057.25;

War Department, \$116,392.33;

Panama Canal, \$122,591.34;

In all, \$659,851.08; together with such amount as may be necessary to pay interest as and when specified in the judgments.

(b) For the payment of judgments numbered 46,066, 46,084, and 46,287 rendered by the Court of Claims in the total amount of

\$203,332.18, together with such amount as may be necessary to pay interest, and certified to the Eightieth Congress in Senate Document Numbered 81 and House Document Numbered 358, to be paid from funds of the Reconstruction Finance Corporation.

(c) None of the judgments contained under this caption shall be paid until the right of appeal has expired, except such as has become final and conclusive against the United States by failure of the parties to appeal or otherwise.

Payment.

#### AUDITED CLAIMS

SEC. 204. For the payment of claims certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1944 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in Senate Document Numbered 79 and House Document Numbered 356, Eightieth Congress, there is appropriated the sum of \$55,452,508.21, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency and interest as specified in certain of the settlements of the General Accounting Office, to be disbursed and accounted for as a single fund; \$4.80, payable from District of Columbia revenues; and \$8,528.06, payable from postal revenues; in all, \$55,461,041.07.

18 Stat. 110.

23 Stat. 254.

SEC. 205. For the payment of claims allowed by the General Accounting Office pursuant to the Act entitled "An Act granting travel pay and other allowances to certain soldiers of the War with Spain and the Philippine Insurrection who were discharged in the Philippine Islands", approved December 5, 1945 (10 U. S. C. 866f), and which have been certified to the Eightieth Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), under the War Department in Senate Document Numbered 83 and House Document Numbered 355, \$7,945.90.

59 Stat. 596.

23 Stat. 254.

### TITLE III

#### GENERAL PROVISIONS

SEC. 301. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not, contrary to the provisions of this section, engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

Affidavit.

Penalty.



by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Purchase of food-stuffs for relief abroad.

SEC. 302. In making expenditures for foodstuffs from funds appropriated in this Act for relief abroad, it is the sense of the Congress that preference be given to the purchase, within the United States, of products, which can be purchased with benefit to the national economy, and that such purchases should include articles that are in surplus where possible and practicable.

Short title.

SEC. 303. This Act may be cited as "The Supplemental Appropriation Act, 1948".

Approved July 30, 1947.

#### [CHAPTER 382]

#### AN ACT

July 30, 1947

[S. 483]

[Public Law 272]

To relocate the boundaries and reduce the area of the Gila Federal reclamation project, and for other purposes.

Gila project.  
Reduction in area.

40 U. S. C. §§ 401-404, 406-410, 413, 414;  
23 U. S. C. § 9b; 7 U. S. C. § 607; 16 U. S. C. § 609b.  
*Ante*, p. 208.

Redesignation.

Diversion of waters,  
etc.

45 Stat. 1057.  
43 U. S. C. §§ 617-617e.  
*Ante*, p. 57.  
Purpose of limitations.

Acquisition of lands,  
etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That for the purpose of reclaiming and irrigating lands in the State of Arizona and other beneficial uses, the reclamation project known as Gila project, heretofore authorized and established under the provisions of the reclamation laws, the Act of June 16, 1933 (48 Stat. 195), and various appropriation Acts, is hereby reduced in area to approximately forty thousand irrigable acres of land (twenty-five thousand acres thereof situated on the Yuma Mesa and fifteen thousand acres thereof within the North and South Gila Valleys), or such number of acres as can be adequately irrigated by the beneficial consumptive use of no more than three hundred thousand acre-feet of water per annum diverted from the Colorado River, and as thus reduced is hereby reauthorized and redesignated the Yuma Mesa division, Gila project, and the Wellton-Mohawk division, Gila project, comprising approximately seventy-five thousand irrigable acres of land, or such number of acres as can be adequately irrigated by the beneficial consumptive use of no more than three hundred thousand acre-feet of water per annum diverted from the Colorado River, situate within the Wellton, Dome, Roll, Texas Hill, and Mohawk areas, is substituted for the land eliminated from the Yuma Mesa division and is hereby authorized: *Provided, however*, That the waters to be diverted and used thereby, and the lands and structures for the diversion, transportation, delivery, and storage thereof, shall be subject to the provisions of the Boulder Canyon Project Act of December 21, 1928, and subject to the provisions of the Colorado River compact signed at Santa Fe, New Mexico, November 24, 1922: *And provided further*, That the above limitations contained in this section are for the sole purpose of fixing the maximum acreage of the project and shall not be construed as interpreting, affecting, or modifying any interstate compact or contract with the United States for the use of Colorado River water or any Federal or State statute limiting or defining the right to use Colorado River water of or in any State.

SEC. 2. The Secretary is hereby authorized to acquire in the name of the United States, at prices satisfactory to him, such lands, interests in lands, water rights, and other property within or adjacent to the Gila project, which belongs to the Gila Valley Power District or the Mohawk Municipal Water Conservation District, as he deems appropriate for the protection, development, or improvement of said project:

*Provided, however,* That the prices to be paid for the lands owned by the Gila Valley Power District, of Arizona, and heretofore officially appraised at the direction of the Commissioner of Reclamation, for the existing facilities of said district and of the Mohawk Municipal Water Conservation District, of Arizona, heretofore officially appraised at his request and determined by him to be useful to said project, shall not, in the aggregate, exceed \$380,000, and no portion thereof shall be paid until said districts have made arrangements satisfactory to the Secretary for the liquidation of their respective bonded, warrant, and other outstanding indebtedness.

SEC. 3. The Secretary is hereby authorized, to the extent, in the manner, and on such terms as he deems appropriate for the protection, development, or improvement of the Gila project, to sell, exchange, or otherwise dispose of the public lands of the United States within said project, the lands acquired under this Act, and any improvements on any such lands and to lease the same during the presettlement period only, provided such lands shall be disposed of to actual settlers and farmers as soon as practicable; to establish town sites on such lands; and to dedicate portions of such lands for public purposes. Contracts for the sale of such lands shall be on a basis that, in the Secretary's judgment, will provide the return in a reasonable period of years of not less than the appraised value of the land and the improvements thereon or thereto. Such lands may be disposed of in farm units of such sizes as the Secretary determines to be adequate, taking into consideration the character of soil, topography, location with respect to the irrigation system, and such other factors as the Secretary deems relevant: *Provided,* That the area disposed of to an individual shall, so far as practicable, not exceed one hundred and sixty acres. Sales to any individual shall be of not more than one farm unit. Any sums received by the United States from the disposition of said lands and improvements shall be covered into the reclamation fund, and credited to construction costs.

SEC. 4. Beginning at such date or dates and subject to such provisions and limitations as may be fixed or provided by regulations which the Secretary is hereby authorized to issue, any public lands within the Gila project and any lands acquired under this Act shall be, after disposition thereof by the United States by contract of sale and during the time such contract shall remain in effect, (i) subject to the provisions of the laws of the State of Arizona relating to the organization, government, and regulation of irrigation, electrical, power, and other similar districts, and (ii) subject to legal assessment or taxation by any such district and by said State or political subdivisions thereof, and to liens for such assessments and taxes and to all proceedings for the enforcement thereof, in the same manner and to the same extent as privately owned lands: *Provided, however,* That the United States does not assume any obligation for amounts so assessed or taxed: *And provided further,* That any proceedings to enforce said assessments or taxes shall be subject to any title then remaining in the United States, to any prior lien reserved to the United States for unpaid installments under land-sale contracts made under this Act, and to any obligation for any other charges, accrued or unaccrued, for special improvements, construction, or operation and maintenance costs of said project.

SEC. 5. Notwithstanding any other provision of law, the general repayment obligation of any organization which may hereafter enter into a contract with the United States covering the repayment of any portion of the costs of construction of the Gila project may be spread in annual installments over such reasonable period, not exceeding sixty years, as the Secretary may determine. For the purpose of

Aggregate of prices.  
Limitation.

Payment.

Sale of public lands,  
etc.

Contracts.

Sales to individuals.

Application of State  
laws, etc.

Enforcement pro-  
ceedings.

Repayment obliga-  
tion.

predicating the repayment obligations of the various lands within said project on their respective ability, as determined by the Secretary, to share the burdens thereof, he may provide for the equitable apportionment of said general repayment obligation to the lands benefited on a unit basis in accordance with the extent of the benefit derived from the project, the character of soil, topography, and such other factors as he deems relevant, and he may provide for a system of variable payments under which larger annual payments will be required during periods of above-normal production or income and lesser annual payments will be required during periods of subnormal production or income.

Appropriations au-  
thorized.

SEC. 6. There are hereby authorized to be appropriated, from time to time, out of any money in the Treasury not otherwise appropriated, such moneys as may be necessary to carry out the provisions of this Act.

Authority of Secre-  
tary.

SEC. 7. The Secretary is authorized to perform such acts, to make such rules and regulations, and to include in contracts made under the authority of this Act such provisions as he deems proper for carrying out the provisions of this Act; and in connection with sales or exchanges under this Act, he is authorized to effect conveyances without regard to the laws governing the patenting of public lands. Wherever in this Act functions, powers, or duties are conferred upon the Secretary, said functions, powers, or duties may be performed, exercised, or discharged by his duly authorized representatives.

45 Stat. 1057; 54  
Stat. 774.  
43 U. S. C. §§ 617-  
617t, 618-618o.

SEC. 8. This Act shall be deemed a supplement to and part of the reclamation law. Nothing in this Act shall be construed to amend the Boulder Canyon Project Act of December 21, 1928, as amended by the Boulder Canyon Project Adjustment Act of July 19, 1940.

Approved July 30, 1947.

#### [CHAPTER 383]

#### AN ACT

July 30, 1947  
[S. 1368]  
[Public Law 273]

To amend section 2455 of the Revised Statutes, as amended, to increase the size of isolated or disconnected tracts or parcels of the public domain which may be sold, and for other purposes.

Public lands.  
Sale of isolated, etc.,  
tracts.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 2455 of the Revised Statutes (43 U. S. C., sec. 1171), as amended, is hereby amended by striking out the words "seven hundred and sixty" and inserting in their place the words "one thousand five hundred and twenty". The said section is further amended by striking out the words "one hundred and sixty" in the second proviso and inserting in their place the words "seven hundred and sixty".

Approved July 30, 1947.

#### [CHAPTER 384]

#### AN ACT

July 30, 1947  
[S. 1463]  
[Public Law 274]

To amend section 12 of the Immigration Act of 1917.

Immigration Act of  
1917, amendment.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 12 of the Act entitled "An Act to regulate the immigration of aliens to, and the residence of aliens in, the United States", approved February 5, 1917, as amended (39 Stat. 882; U. S. C., title 8, sec. 148), is amended to read as follows:

"SEC. 12. That upon the arrival of any alien, United States citizen, or national, by water at any port within the United States on the North American Continent from a foreign port or port of Guam, Puerto Rico, Hawaii, or other insular possession of the United States, or at any port of the said insular possessions from any foreign port, from a port in the United States on the North American Continent, or from a port of another insular possession of the United States, it shall be the duty of the master or commanding officer, owners, or consignees of the steamer, sailing, or other vessel, having said alien, United States citizen, or national on board to deliver to the immigration officers at the port of arrival typewritten or printed lists or manifests made at the time and place of embarkation of such alien, United States citizen, or national on board such steamer or vessel, and such lists or manifests shall be in such form and contain such information as the Commissioner of Immigration and Naturalization, with the approval of the Attorney General, shall by regulation prescribe as necessary for the identification of the persons transported and for the enforcement of the immigration laws. That it shall further be the duty of the master or commanding officer of every vessel taking passengers from any port of the United States on the North American Continent to a foreign port or a port of Guam, Puerto Rico, Hawaii, or other insular possession of the United States, or from any port of the said insular possessions to any foreign port, to a port of the United States on the North American Continent, or to a port of another insular possession of the United States to file with the immigration officials before departure a list of all aliens, United States citizens, or nationals, taken on board, said list to be in such form and to contain such information as the Commissioner of Immigration and Naturalization, with the approval of the Attorney General, shall by regulation prescribe as necessary for the identification of the persons transported and for the enforcement of the immigration laws. No master or commanding officer of any such vessel shall be granted clearance papers for his vessel until he has deposited such list or lists with the immigration officials at the port of departure and made oath that they are full and complete as to the information required to be contained therein. Any neglect or omission to comply with the requirements of this section shall be punishable as provided in section 14 of this Act: *Provided*, That in the case of vessels making regular trips to ports of the United States the Commissioner of Immigration and Naturalization, with the approval of the Attorney General, may, when expedient, arrange for the delivery of lists of outgoing aliens, United States citizens, or nationals at a later date: *Provided further*, That it shall be the duty of immigration officials to record the following information regarding every resident alien and citizen or national leaving the United States by way of the Canadian or Mexican borders for permanent residence in a foreign country: Names, age, and sex; whether married or single; calling or occupation; whether able to read or write; nationality; country of birth; country of which citizen or subject; race; last permanent residence in the United States; intended future permanent residence; and time and port of last arrival in the United States; and if a United States citizen, or national, the facts on which claim to that status is based."

Approved July 30, 1947.

Delivery of list of aliens, etc., at port of arrival.

Filing before departure of list of aliens, etc., taken on board.

Granting of clearance papers.

Penalty.

39 Stat. 884.  
8 U. S. C. § 150.  
Delivery of lists at later date.

Information to be recorded.

## [CHAPTER 385]

## AN ACT

July 30, 1947  
[S. 1633]  
[Public Law 276]

To authorize the attendance of the Marine Band at the National Convention of The American Legion to be held in New York, New York, August 28 to 31, 1947, and the National Convention of the Veterans of Foreign Wars of the United States to be held in Cleveland, Ohio, September 4 to 9, 1947.

Marine Band.  
Attendance, etc., in  
certain parades.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is authorized to permit the band of the United States Marine Corps to attend and perform in the parade of The American Legion to be held in New York, New York, on August 30, 1947, and to attend and perform in the parade of the Veterans of Foreign Wars of the United States in Cleveland, Ohio, on a date between September 4 to 9, 1947, to be selected by the Veterans of Foreign Wars.

Appropriation au-  
thorized.

SEC. 2. For the purpose of defraying the expenses of such band in attending and performing in such parades, there is hereby authorized to be appropriated a sufficient sum to cover the cost of transportation and pullman accommodations for the leaders and members of the Marine Band, and allowance not to exceed \$6 per day each for additional traveling and living expenses while on duty, such allowances to be in addition to the pay and allowance to which they would be entitled while serving their permanent station.

Approved July 30, 1947.

## [CHAPTER 386]

## AN ACT

July 30, 1947  
[H. R. 197]  
[Public Law 276]

To transfer part of block 14 and the school building thereon of Petersburg town site, Alaska, used for school purposes, to the town of Petersburg, Alaska.

Petersburg, Alaska.  
Conveyance.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby conveyed to the town of Petersburg, Alaska, lots 9 and 10 of block 14 within Petersburg town site, Alaska, together with the school building located thereon for use by the town for school purposes. The grant herein shall become effective upon notice by the Secretary of the Interior to the town of Petersburg of the detailed description of the land and the written acceptance of the grant by the proper officials of the town of Petersburg.

Approved July 30, 1947.

## [CHAPTER 387]

## AN ACT

July 30, 1947  
[H. R. 1238]  
[Public Law 277]

To permit vessels of Canadian registry to transport certain merchandise between Hyder, Alaska, and points in the continental United States.

41 Stat. 999.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the provisions of section 27 of the Merchant Marine Act, 1920, as amended (U. S. C., 1940 edition, title 46, sec. 883), vessels of foreign registry shall be permitted until June 30, 1948, to transport products of, and supplies and equipment for, the Riverside Mine at Hyder, Alaska, between Hyder, Alaska, and other points in the United States, either directly or via a foreign port, or for any part of the transportation.

Approved July 30, 1947.

## [CHAPTER 388]

## AN ACT

To codify and enact into positive law, title 1 of the United States Code, entitled  
“General Provisions”.

July 30, 1947  
[H. R. 1565]  
[Public Law 278]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That title 1 of the United States Code entitled “General Provisions”, is codified and enacted into positive law and may be cited as “1 U. S. C., § —”, as follows:

Title 1, U. S. Code.  
Codification and enactment into positive law.

## TITLE 1—GENERAL PROVISIONS

Chap.	Sec.
1. Rules of construction-----	1
2. Acts and resolutions; formalities of enactment; repeals; sealing of instruments-----	101
3. Code of Laws of United States and Supplements; District of Columbia Code and Supplements-----	201

## CHAPTER 1—RULES OF CONSTRUCTION

- § 1. Words denoting number, gender, etc.
- § 2. “County” as including “parish”, etc.
- § 3. “Vessel” as including all means of water transportation.
- § 4. “Vehicle” as including all means of land transportation.
- § 5. “Company” or “association” as including successors and assigns.
- § 6. Limitation of term “products of American fisheries.”

## WORDS DENOTING NUMBER, GENDER, AND SO FORTH

§ 1. In determining the meaning of any Act or resolution of Congress words importing the singular number may extend and be applied to several persons or things; words importing the plural number may include the singular; words importing the masculine gender may be applied to females; the words “insane person” and “lunatic” shall include every idiot, non compos, lunatic, and insane person; the word “person” may extend and be applied to partnerships and corporations, and the reference to any officer shall include any person authorized by law to perform the duties of such office, unless the context shows that such words were intended to be used in a more limited sense; and a requirement of an “oath” shall be deemed complied with by making affirmation in judicial form.

## “COUNTY” AS INCLUDING “PARISH”, AND SO FORTH

§ 2. The word “county” includes a parish, or any other equivalent subdivision of a State or Territory of the United States.

## “VESSEL” AS INCLUDING ALL MEANS OF WATER TRANSPORTATION

§ 3. The word “vessel” includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water.

## “VEHICLE” AS INCLUDING ALL MEANS OF LAND TRANSPORTATION

§ 4. The word “vehicle” includes every description of carriage or other artificial contrivance used, or capable of being used, as a means of transportation on land.

## “COMPANY” OR “ASSOCIATION” AS INCLUDING SUCCESSORS AND ASSIGNS

§ 5. The word “company” or “association”, when used in reference to a corporation, shall be deemed to embrace the words “successors and assigns of such company or association”, in like manner as if these last-named words, or words of similar import, were expressed.

## LIMITATION OF TERM "PRODUCTS OF AMERICAN FISHERIES"

§ 6. Wherever, in the statutes of the United States or in the rulings, regulations, or interpretations of various administrative bureaus and agencies of the United States there appears or may appear the term "products of American fisheries" said term shall not include fresh or frozen fish fillets, fresh or frozen fish steaks, or fresh or frozen slices of fish substantially free of bone (including any of the foregoing divided into sections), produced in a foreign country or its territorial waters, in whole or in part with the use of the labor of persons who are not residents of the United States.

CHAPTER 2—ACTS AND RESOLUTIONS; FORMALITIES OF ENACTMENT;  
REPEALS; SEALING OF INSTRUMENTS

- § 101. Enacting clause.
- § 102. Resolving clause.
- § 103. Enacting or resolving words after first section.
- § 104. Numbering of sections; single proposition.
- § 105. Title of appropriation Acts.
- § 106. Printing bills and joint resolutions.
- § 107. Parchment or paper for printing enrolled bills or resolutions.
- § 108. Repeal of repealing act.
- § 109. Repeal of statutes as affecting existing liabilities.
- § 110. Saving clause of Revised Statutes.
- § 111. Repeals as evidence of prior effectiveness.
- § 112. Statutes at Large; contents; admissibility in evidence.
- § 113. "Little and Brown's" edition of laws and treaties; admissibility in evidence.
- § 114. Sealing of instruments.

## ENACTING CLAUSE

§ 101. The enacting clause of all Acts of Congress shall be in the following form: "Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled."

## RESOLVING CLAUSE

§ 102. The resolving clause of all joint resolutions shall be in the following form: "Resolved by the Senate and House of Representatives of the United States of America in Congress assembled."

## ENACTING OR RESOLVING WORDS AFTER FIRST SECTION

§ 103. No enacting or resolving words shall be used in any section of an Act or resolution of Congress except in the first.

## NUMBERING OF SECTIONS; SINGLE PROPOSITION

§ 104. Each section shall be numbered, and shall contain, as nearly as may be, a single proposition of enactment.

## TITLE OF APPROPRIATION ACTS

§ 105. The style and title of all Acts making appropriations for the support of Government shall be as follows: "An Act making appropriations (here insert the object) for the year ending June 30 (here insert the calendar year)."

## PRINTING BILLS AND JOINT RESOLUTIONS

§ 106. Every bill or joint resolution in each House of Congress shall, when such bill or resolution passes either House, be printed, and such printed copy shall be called the engrossed bill or resolution

as the case may be. Said engrossed bill or resolution shall be signed by the Clerk of the House or the Secretary of the Senate, and shall be sent to the other House, and in that form shall be dealt with by that House and its officers, and, if passed, returned signed by said Clerk or Secretary. When such bill, or joint resolution shall have passed both Houses, it shall be printed and shall then be called the enrolled bill, or joint resolution, as the case may be, and shall be signed by the presiding officers of both Houses and sent to the President of the United States. During the last six days of a session such engrossing and enrolling of bills and joint resolutions may be done otherwise than as above prescribed, upon the order of Congress by concurrent resolution.

#### PARCHMENT OR PAPER FOR PRINTING ENROLLED BILLS OR RESOLUTIONS

§ 107. Enrolled bills and resolutions of either House of Congress shall be printed on parchment or paper of suitable quality as shall be determined by the Joint Committee on Printing.

#### REPEAL OF REPEALING ACT

§ 108. Whenever an Act is repealed, which repealed a former Act, such former Act shall not thereby be revived, unless it shall be expressly so provided.

#### REPEAL OF STATUTES AS AFFECTING EXISTING LIABILITIES

§ 109. The repeal of any statute shall not have the effect to release or extinguish any penalty, forfeiture, or liability incurred under such statute, unless the repealing Act shall so expressly provide, and such statute shall be treated as still remaining in force for the purpose of sustaining any proper action or prosecution for the enforcement of such penalty, forfeiture, or liability. The expiration of a temporary statute shall not have the effect to release or extinguish any penalty, forfeiture, or liability incurred under such statute, unless the temporary statute shall so expressly provide, and such statute shall be treated as still remaining in force for the purpose of sustaining any proper action or prosecution for the enforcement of such penalty, forfeiture, or liability.

#### SAVING CLAUSE OF REVISED STATUTES

§ 110. All acts of limitation, whether applicable to civil causes and proceedings, or to the prosecution of offenses, or for the recovery of penalties or forfeitures, embraced in the Revised Statutes and covered by the repeal contained therein, shall not be affected thereby, but all suits, proceedings, or prosecutions, whether civil or criminal, for causes arising, or acts done or committed prior to said repeal, may be commenced and prosecuted within the same time as if said repeal had not been made.

#### REPEALS AS EVIDENCE OF PRIOR EFFECTIVENESS

§ 111. No inference shall be raised by the enactment of the Act of March 3, 1933 (ch. 202, 47 Stat. 1431), that the sections of the Revised Statutes repealed by such Act were in force or effect at the time of such enactment: *Provided, however,* That any rights or liabilities existing under such repealed sections shall not be affected by their repeal.

*Post*, p. 641.



## STATUTES AT LARGE; CONTENTS; ADMISSIBILITY IN EVIDENCE

§ 112. The Secretary of State shall cause to be compiled, edited, indexed, and published, the United States Statutes at Large, which shall contain all the laws and concurrent resolutions enacted during each regular session of Congress; all treaties to which the United States is a party that have been proclaimed since the date of the adjournment of the regular session of Congress next preceding; all international agreements other than treaties to which the United States is a party that have been signed, proclaimed, or with reference to which any other final formality has been executed, since that date; all proclamations by the President in the numbered series issued since that date; and also any amendments to the Constitution of the United States proposed or ratified pursuant to article V thereof since that date, together with the certificate of the Secretary of State issued in compliance with the provision contained in section 160 of title 5. In the event of an extra session of Congress, the Secretary of State shall cause all the laws and concurrent resolutions enacted during said extra session to be consolidated with, and published as part of, the contents of the volume for the next regular session. The United States Statutes at Large shall be legal evidence of laws, concurrent resolutions, treaties, international agreements other than treaties, proclamations by the President, and proposed or ratified amendments to the Constitution of the United States therein contained, in all the courts of the United States, the several States, and the Territories and insular possessions of the United States.

## “LITTLE AND BROWN’S” EDITION OF LAWS AND TREATIES; ADMISSIBILITY IN EVIDENCE

§ 113. The edition of the laws and treaties of the United States, published by Little and Brown, shall be competent evidence of the several public and private Acts of Congress, and of the several treaties therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public officers of the United States, and of the several States, without any further proof or authentication thereof.

## SEALING OF INSTRUMENTS

§ 114. In all cases where a seal is necessary by law to any commission, process, or other instrument provided for by the laws of Congress, it shall be lawful to affix the proper seal by making an impression therewith directly on the paper to which such seal is necessary; which shall be as valid as if made on wax or other adhesive substance.

CHAPTER 3—CODE OF LAWS OF UNITED STATES AND SUPPLEMENTS;  
DISTRICT OF COLUMBIA CODE AND SUPPLEMENTS

- § 201. Publication and distribution of Code of Laws of United States and Supplements and District of Columbia Code and Supplements.
- (a) Publishing in slip or pamphlet form or in Statutes at Large.
  - (b) Curtailing number of copies published.
  - (c) Dispensing with publication of more than one Supplement for each Congress.
- § 202. Preparation and publication of Codes and Supplements.
- (a) Cumulative Supplements to Code of Laws of United States for each session of Congress.
  - (b) Cumulative Supplement to District of Columbia Code for each session of Congress.
  - (c) New editions of Codes and Supplements.
- § 203. District of Columbia Code; preparation and publication; cumulative supplements.

- § 204. Codes and Supplements as evidence of the Laws of United States and District of Columbia; citation of Codes and Supplements.  
 (a) United States Code.  
 (b) District of Columbia Code.  
 (c) District of Columbia Code; citation.  
 (d) Supplements to Codes; citation.  
 (e) New edition of Codes; citation.
- § 205. Codes and Supplements; where printed; form and style; ancillaries.
- § 206. Bills and resolutions of Committee on the Judiciary of House of Representatives; form and style; ancillaries; curtailment of copies.
- § 207. Copies of acts and resolutions in slip form; additional number printed for Committee on the Judiciary of House of Representatives.
- § 208. Delegation of function of Committee on the Judiciary to other agencies; printing, etc., under direction of Joint Committee on Printing.
- § 209. Copies of Supplements to Code of Laws of United States and of District of Columbia Code and Supplements; conclusive evidence of original.
- § 210. Distribution of Supplements to Code of Laws of United States and of District of Columbia Code and Supplements; slip and pamphlet copies.
- § 211. Copies to Members of Congress.
- § 212. Additional distribution at each new Congress.
- § 213. Appropriation for preparing and editing supplements.

PUBLICATION AND DISTRIBUTION OF CODE OF LAWS OF UNITED STATES AND  
 SUPPLEMENTS AND DISTRICT OF COLUMBIA CODE AND SUPPLEMENTS

- § 201. In order to avoid duplication and waste—  
 (a) Publishing in slip or pamphlet form or in Statutes at Large.—Publication in slip or pamphlet form or in the Statutes at Large of any of the volumes or publications enumerated in sections 202 and 203 of this title, shall, in event of enactment, be dispensed with whenever the Committee on the Judiciary of the House of Representatives so directs the Secretary of State;  
 (b) Curtailing number of copies published.—Curtailment of the number provided by law to be printed and distributed of the volumes or publications enumerated in sections 202 and 203 of this title may be directed by such committee, except that the Public Printer shall print such numbers as are necessary for depository library distribution and for sale; and  
 (c) Dispensing with publication of more than one Supplement for each Congress.—Such committee may direct that the printing and distribution of any supplement to the Code of Laws of the United States or to the Code of the District of Columbia be dispensed with entirely, except that there shall be printed and distributed for each Congress at least one supplement to each such code, containing the legislation of such Congress.

PREPARATION AND PUBLICATION OF CODES AND SUPPLEMENTS

- § 202. There shall be prepared and published under the supervision of the Committee on the Judiciary of the House of Representatives—  
 (a) Cumulative Supplements to Code of Laws of United States for each session of Congress.—A supplement for each session of the Congress to the then current edition of the Code of Laws of the United States, cumulatively embracing the legislation of the then current supplement, and correcting errors in such edition and supplement;  
 (b) Cumulative Supplement to District of Columbia Code for each session of Congress.—A supplement for each session of the Congress to the then current edition of the Code of the District of Columbia, cumulatively embracing the legislation of the then current supplement, and correcting errors in such edition and supplement;  
 (c) New editions of Codes and Supplements.—New editions of the Code of Laws of the United States and of the Code of the District of

Columbia, correcting errors and incorporating the then current supplement. In the case of each code new editions shall not be published oftener than once in each five years. Copies of each such edition shall be distributed in the same manner as provided in the case of supplements to the code of which it is a new edition. Supplements published after any new edition shall not contain the legislation of supplements published before such new edition.

DISTRICT OF COLUMBIA CODE; PREPARATION AND PUBLICATION;  
CUMULATIVE SUPPLEMENTS

§ 203. The Committee on the Judiciary of the House of Representatives is authorized to print bills to codify, revise, and reenact the general and permanent laws relating to the District of Columbia and cumulative supplements thereto, similar in style, respectively, to the Code of Laws of the United States, and supplements thereto, and to so continue until final enactment thereof in both Houses of the Congress of the United States.

CODES AND SUPPLEMENTS AS EVIDENCE OF THE LAWS OF UNITED STATES  
AND DISTRICT OF COLUMBIA; CITATION OF CODES AND SUPPLEMENTS

§ 204. In all courts, tribunals, and public offices of the United States, at home or abroad, of the District of Columbia, and of each State, Territory, or insular possession of the United States—

(a) United States Code.—The matter set forth in the edition of the Code of Laws of the United States current at any time shall, together with the then current supplement, if any, establish *prima facie* the laws of the United States, general and permanent in their nature, in force on the day preceding the commencement of the session following the last session the legislation of which is included: *Provided, however,* That whenever titles of such Code shall have been enacted into positive law the text thereof shall be legal evidence of the laws therein contained, in all the courts of the United States, the several States, and the Territories and insular possessions of the United States.

(b) District of Columbia Code.—The matter set forth in the edition of the Code of the District of Columbia current at any time shall, together with the then current supplement, if any, establish *prima facie* the laws, general and permanent in their nature, relating to or in force in the District of Columbia on the day preceding the commencement of the session following the last session the legislation of which is included, except such laws as are of application in the District of Columbia by reason of being laws of the United States general and permanent in their nature.

(c) District of Columbia Code; citation.—The Code of the District of Columbia may be cited as “D. C. Code”.

(d) Supplements to Codes; citation.—Supplements to the Code of Laws of the United States and to the Code of the District of Columbia may be cited, respectively, as “U. S. C., Sup. ”, and “D. C. Code, Sup. ”, the blank in each case being filled with Roman figures denoting the number of the supplement.

(e) New edition of Codes; citation.—New editions of each of such codes may be cited, respectively, as “U. S. C., ed.”, and “D. C. Code, ed.”, the blank in each case being filled with figures denoting the last year the legislation of which is included in whole or in part.

## CODES AND SUPPLEMENT; WHERE PRINTED; FORM AND STYLE; ANCILLARIES

§ 205. The publications provided for in sections 202, 203 of this title shall be printed at the Government Printing Office and shall be in such form and style and with such ancillaries as may be prescribed by the Committee on the Judiciary of the House of Representatives. The Librarian of Congress is directed to cooperate with such committee in the preparation of such ancillaries. Such publications shall be furnished with such thumb insets and other devices to distinguish parts, with such facilities for the insertion of additional matter, and with such explanatory and advertising slips, and shall be printed on such paper and bound in such material, as may be prescribed by such committee.

## BILLS AND RESOLUTIONS OF COMMITTEE ON THE JUDICIARY OF HOUSE OF REPRESENTATIVES; FORM AND STYLE; ANCILLARIES; CURTAILMENT OF COPIES

§ 206. All bills and resolutions relating to the revision of the laws referred to or reported by the Committee on the Judiciary of the House of Representatives shall be printed in such form and style, and with such ancillaries, as such committee may prescribe as being economical and suitable, to so continue until final enactment thereof in both Houses of Congress; and such committee may also curtail the number of copies of such bills to be printed in the various parliamentary stages in the House of Representatives.

## COPIES OF ACTS AND RESOLUTIONS IN SLIP FORM; ADDITIONAL NUMBER PRINTED FOR COMMITTEE ON THE JUDICIARY OF HOUSE OF REPRESENTATIVES

§ 207. The Public Printer is directed to print, in addition to the number provided by existing law, and, as soon as printed, to distribute in such manner as the Committee on the Judiciary of the House of Representatives shall determine, twenty copies in slip form of each public Act and joint resolution.

## DELEGATION OF FUNCTION OF COMMITTEE ON THE JUDICIARY TO OTHER AGENCIES; PRINTING, AND SO FORTH, UNDER DIRECTION OF JOINT COMMITTEE ON PRINTING

§ 208. The functions vested by sections 201, 202, 204–207 of this title in the Committee on the Judiciary of the House of Representatives may from time to time be vested in such other agency as the Congress may by concurrent resolution provide: *Provided*, That the printing, binding, and distribution of the volumes and publications enumerated in sections 202, 203 of this title shall be done under the direction of the Joint Committee on Printing.

## COPIES OF SUPPLEMENTS TO CODE OF LAWS OF UNITED STATES AND OF DISTRICT OF COLUMBIA CODE AND SUPPLEMENTS; CONCLUSIVE EVIDENCE OF ORIGINAL

§ 209. Copies of the Code of Laws relating to the District of Columbia and copies of the supplements provided for by sections 202, 203 of this title printed at the Government Printing Office and bearing its imprint, shall be conclusive evidence of the original of such code and supplements in the custody of the Secretary of State.

DISTRIBUTION OF SUPPLEMENTS TO CODE OF LAWS OF UNITED STATES AND  
OF DISTRICT OF COLUMBIA CODE AND SUPPLEMENTS; SLIP AND PAMPHLET  
COPIES

§ 210. Copies of the Code of Laws relating to the District of Columbia, and of the supplements provided for by sections 202, 203 of this title shall be distributed by the Superintendent of Documents in the same manner as bound volumes of the Statutes at Large: *Provided*, That no slip or pamphlet copies of the Code of Laws relating to the District of Columbia, and of the supplements provided for by sections 202, 203 of this title need be printed or distributed.

COPIES TO MEMBERS OF CONGRESS

§ 211. In addition to quotas provided for by section 210 of this title there shall be printed, published, and distributed of the Code of Laws relating to the District of Columbia with tables, index, and other ancillaries, suitably bound and with thumb inserts and other convenient devices to distinguish the parts, and of the supplements to both codes as provided for by sections 202, 203 of this title, ten copies of each for each Member of the Senate and House of Representatives of the Congress in which the original authorized publication is made, for his use and distribution, and in addition for the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a number of bound copies of each equal to ten times the number of members of such committees, and one bound copy of each for the use of each committee of the Senate and House of Representatives.

ADDITIONAL DISTRIBUTION AT EACH NEW CONGRESS

§ 212. In addition the Superintendent of Documents shall, at the beginning of the first session of each Congress, supply to each Senator and Representative in such Congress, who may in writing apply for the same, one copy each of the Code of Laws of the United States, the Code of Laws relating to the District of Columbia, and the latest supplement to each code: *Provided*, That such applicant shall certify in his written application for the same that the volume or volumes for which he applies is intended for his personal use exclusively: *And provided further*, That no Senator or Representative during his term of service shall receive under this section more than one copy each of the volumes enumerated herein.

APPROPRIATION FOR PREPARING AND EDITING SUPPLEMENTS

§ 213. For preparation and editing an annual appropriation of \$6,500 is authorized to carry out the purposes of sections 202 and 203 of this title.

Repeals.

SEC. 2. The sections or parts thereof of the Statutes at Large or the Revised Statutes covering provisions codified in this Act are hereby repealed insofar as such provisions appeared in title 1, United States Code, 1940 edition, as shown by the appended table: *Provided*, That any rights or liabilities now existing under such repealed sections or parts thereof shall not be affected by such repeal.

STATUTES AT LARGE OR REVISED STATUTES		Title 1, United States Code, section
R. S., sec. 1	-----	1
R. S., sec. 2	-----	2
R. S., sec. 3	-----	3
R. S., sec. 4	-----	4
R. S., sec. 5	-----	5
Act June 11, 1940, ch. 325, sec. 1, 54 Stat. 305	-----	6
R. S., sec. 7	-----	21
R. S., sec. 8	-----	22
R. S., sec. 9	-----	23
R. S., sec. 10	-----	24
R. S., sec. 11	-----	25
Res. Nov. 1, 1893, 28 Stat. Appendix 5; act Mar. 2, 1895, ch. 177, sec. 1, 28 Stat. 769	-----	26
Act Mar. 6, 1920, ch. 94, sec. 1, 41 Stat. 520	-----	27
R. S., sec. 12	-----	28
R. S., sec. 13; Mar. 22, 1944, ch. 123, 58 Stat. 118	-----	29
R. S., sec. 5599	-----	29a
Act Mar. 3, 1933, ch. 202, sec. 3, 47 Stat. 1431	-----	29b
Act Jan. 12, 1895, ch. 23, sec. 73, 28 Stat. 615; June 20, 1936, ch. 630, sec. 9, 49 Stat. 1551; June 16, 1938, ch. 477, sec. 1, 52 Stat. 760	-----	30
R. S., sec. 908	-----	30a
R. S., sec. 6	-----	31
Res. Mar. 2, 1929, ch. 586, sec. 1, 45 Stat. 1540	-----	51a
Act May 29, 1928, ch. 910, sec. 2, 45 Stat. 1007; Res. Mar. 2, 1929, ch. 586, sec. 2, 45 Stat. 1541	-----	52
Act May 29, 1928, ch. 910, sec. 3, 45 Stat. 1007	-----	53
Act May 29, 1928, ch. 910, sec. 4, 45 Stat. 1007; Res. Mar. 2, 1929, ch. 586, sec. 3, 45 Stat. 1541	-----	54
Res. Mar. 2, 1929, ch. 586, sec. 4, 45 Stat. 1542; Act Mar. 4, 1933, ch. 282, sec. 1, 47 Stat. 1603; June 13, 1934, ch. 483, secs. 1, 2, 48 Stat. 948	-----	54a
Res. Mar. 2, 1929, ch. 586, sec. 5, 45 Stat. 1542; Act Mar. 4, 1933, ch. 282, sec. 1, 47 Stat. 1603; June 13, 1934, ch. 483, secs. 1, 2, 48 Stat. 948	-----	54b
Res. Mar. 2, 1929, ch. 586, sec. 6, 45 Stat. 1542	-----	54c
Res. Mar. 2, 1929, ch. 586, sec. 7, 45 Stat. 1542	-----	54d
Act May 29, 1928, ch. 910, sec. 5, 45 Stat. 1007	-----	55
Act May 29, 1928, ch. 910, sec. 6, 45 Stat. 1007	-----	56
Act May 29, 1928, ch. 910, sec. 7, 45 Stat. 1008	-----	57
Act May 29, 1928, ch. 910, sec. 8, 45 Stat. 1008	-----	58
Act May 29, 1928, ch. 910, sec. 10, 45 Stat. 1008	-----	59
Act Mar. 3, 1933, ch. 202, sec. 2, 47 Stat. 1431	-----	60

Approved July 30, 1947.

[CHAPTER 389]

AN ACT

To codify and enact into positive law title 4 of the United States Code, entitled  
“Flag and seal, Seat of Government, and the States”.

July 30, 1947  
[H. R. 1566]  
[Public Law 279]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That title 4 of the United States Code, entitled “Flag and seal, Seat of Government, and the States”, is codified and enacted into positive law and may be cited as “4 U. S. C., § —”, as follows:

Title 4, U. S. Code.  
Codification and en-  
actment into positive  
law.

TITLE 4—FLAG AND SEAL, SEAT OF GOVERNMENT, AND  
THE STATES

Chap.	Sec.
1. The Flag	1
2. The Seal	41
3. Seat of the Government	71
4. The States	101

## CHAPTER 1—THE FLAG

- § 1. Flag; stripes and stars on.
- § 2. Same; additional stars.
- § 3. Use of flag for advertising purposes; mutilation of flag.

## FLAG; STRIPES AND STARS ON

§ 1. The flag of the United States shall be thirteen horizontal stripes, alternate red and white; and the union of the flag shall be forty-eight stars, white in a blue field.

## SAME; ADDITIONAL STARS

§ 2. On the admission of a new State into the Union one star shall be added to the union of the flag; and such addition shall take effect on the fourth day of July then next succeeding such admission.

## USE OF FLAG FOR ADVERTISING PURPOSES; MUTILATION OF FLAG

§ 3. Any person who, within the District of Columbia, in any manner, for exhibition or display, shall place or cause to be placed any word, figure, mark, picture, design, drawing, or any advertisement of any nature upon any flag, standard, colors, or ensign of the United States of America; or shall expose or cause to be exposed to public view any such flag, standard, colors, or ensign upon which shall have been printed, painted, or otherwise placed, or to which shall be attached, appended, affixed, or annexed any word, figure, mark, picture, design, or drawing, or any advertisement of any nature; or who, within the District of Columbia, shall manufacture, sell, expose for sale, or to public view, or give away or have in possession for sale, or to be given away or for use for any purpose, any article or substance being an article of merchandise, or a receptacle for merchandise or article or thing for carrying or transporting merchandise, upon which shall have been printed, painted, attached, or otherwise placed a representation of any such flag, standard, colors, or ensign, to advertise, call attention to, decorate, mark, or distinguish the article or substance on which so placed; or who, within the District of Columbia, shall publicly mutilate, deface, defile or defy, trample upon, or cast contempt, either by word or act, upon any such flag, standard, colors, or ensign, shall be deemed guilty of a misdemeanor and shall be punished by a fine not exceeding \$100 or by imprisonment for not more than thirty days, or both, in the discretion of the court. The words "flag, standard, colors, or ensign", as used herein, shall include any flag, standard, colors, ensign, or any picture or representation of either, or of any part or parts of either, made of any substance or represented on any substance, of any size evidently purporting to be either of said flag, standard, colors, or ensign of the United States of America or a picture or a representation of either, upon which shall be shown the colors, the stars and the stripes, in any number of either thereof, or of any part or parts of either, by which the average person seeing the same without deliberation may believe the same to represent the flag, colors, standard, or ensign of the United States of America.

## CHAPTER 2—THE SEAL

- § 41. Seal of the United States.
- § 42. Same; custody and use of.

## SEAL OF THE UNITED STATES

§ 41. The seal heretofore used by the United States in Congress assembled is declared to be the seal of the United States.

## SAME; CUSTODY AND USE OF

§ 42. The Secretary of State shall have the custody and charge of such seal, and shall make out and record, and shall affix the same to, all civil commissions for officers of the United States, to be appointed by the President, by and with the advice and consent of the Senate, or by the President alone. But the seal shall not be affixed to any commission before the same has been signed by the President of the United States, nor to any other instrument, without the special warrant of the President therefor.

## CHAPTER 3—SEAT OF THE GOVERNMENT

§ 71. Permanent seat of Government.

§ 72. Public offices; at seat of Government.

§ 73. Same; removal from seat of Government.

## PERMANENT SEAT OF GOVERNMENT

§ 71. All that part of the territory of the United States included within the present limits of the District of Columbia shall be the permanent seat of government of the United States.

## PUBLIC OFFICES; AT SEAT OF GOVERNMENT

§ 72. All offices attached to the seat of government shall be exercised in the District of Columbia, and not elsewhere, except as otherwise expressly provided by law.

## SAME; REMOVAL FROM SEAT OF GOVERNMENT

§ 73. In case of the prevalence of a contagious or epidemic disease at the seat of government, the President may permit and direct the removal of any or all the public offices to such other place or places as he shall deem most safe and convenient for conducting the public business.

## CHAPTER 4—THE STATES

§ 101. Oath by members of legislatures and officers.

§ 102. Same; by whom administered.

§ 103. Assent to purchase of lands for forts.

§ 104. Tax on motor fuel sold on military or other reservation; reports to State taxing authority.

§ 105. State, etc., taxation affecting Federal areas; sales or use tax.

§ 106. Same; income tax.

§ 107. Same; exception of United States, its instrumentalities, and authorized purchasers therefrom.

§ 108. Same; jurisdiction of United States over Federal areas unaffected.

§ 109. Same; exception of Indians.

§ 110. Same; definitions.

## OATH BY MEMBERS OF LEGISLATURES AND OFFICERS

§ 101. Every member of a State legislature, and every executive and judicial officer of a State, shall, before he proceeds to execute the duties of his office, take an oath in the following form, to wit: "I, A B, do solemnly swear that I will support the Constitution of the United States."



## SAME; BY WHOM ADMINISTERED

§ 102. Such oath may be administered by any person who, by the law of the State, is authorized to administer the oath of office; and the person so administering such oath shall cause a record or certificate thereof to be made in the same manner, as by the law of the State, he is directed to record or certify the oath of office.

## ASSENT TO PURCHASE OF LANDS FOR FORTS

§ 103. The President of the United States is authorized to procure the assent of the legislature of any State, within which any purchase of land has been made for the erection of forts, magazines, arsenals, dockyards, and other needful buildings, without such consent having been obtained.

TAX ON MOTOR FUEL SOLD ON MILITARY OR OTHER RESERVATION REPORTS  
TO STATE TAXING AUTHORITY

§ 104. (a) All taxes levied by any State, Territory, or the District of Columbia upon, with respect to, or measured by, sales, purchases, storage, or use of gasoline or other motor vehicle fuels may be levied, in the same manner and to the same extent, with respect to such fuels when sold by or through post exchanges, ship stores, ship service stores, commissaries, filling stations, licensed traders, and other similar agencies, located on United States military or other reservations, when such fuels are not for the exclusive use of the United States. Such taxes, so levied, shall be paid to the proper taxing authorities of the State, Territory, or the District of Columbia, within whose borders the reservation affected may be located.

(b) The officer in charge of such reservation shall, on or before the fifteenth day of each month, submit a written statement to the proper taxing authorities of the State, Territory, or the District of Columbia within whose borders the reservation is located, showing the amount of such motor fuel with respect to which taxes are payable under subsection (a) for the preceding month.

STATE, AND SO FORTH, TAXATION AFFECTING FEDERAL AREAS; SALES OR  
USE TAX

§ 105. (a) No person shall be relieved from liability for payment of, collection of, or accounting for any sales or use tax levied by any State, or by any duly constituted taxing authority therein, having jurisdiction to levy such a tax, on the ground that the sale or use, with respect to which such tax is levied, occurred in whole or in part within a Federal area; and such State or taxing authority shall have full jurisdiction and power to levy and collect any such tax in any Federal area within such State to the same extent and with the same effect as though such area was not a Federal area.

(b) The provisions of subsection (a) shall be applicable only with respect to sales or purchases made, receipts from sales received, or storage or use occurring, after December 31, 1940.

## SAME; INCOME TAX

§ 106. (a) No person shall be relieved from liability for any income tax levied by any State, or by any duly constituted taxing authority therein, having jurisdiction to levy such a tax, by reason

of his residing within a Federal area or receiving income from transactions occurring or services performed in such area; and such State or taxing authority shall have full jurisdiction and power to levy and collect such tax in any Federal area within such State to the same extent and with the same effect as though such area was not a Federal area.

(b) The provisions of subsection (a) shall be applicable only with respect to income or receipts received after December 31, 1940.

SAME; EXCEPTION OF UNITED STATES, ITS INSTRUMENTALITIES, AND  
AUTHORIZED PURCHASES THEREFROM

§ 107. (a) The provisions of sections 105 and 106 of this title shall not be deemed to authorize the levy or collection of any tax on or from the United States or any instrumentality thereof, or the levy or collection of any tax with respect to sale, purchase, storage, or use of tangible personal property sold by the United States or any instrumentality thereof to any authorized purchaser.

(b) A person shall be deemed to be an authorized purchaser under this section only with respect to purchases which he is permitted to make from commissaries, ship's stores, or voluntary unincorporated organizations of Army or Navy personnel, under regulations promulgated by the Secretary of War or the Secretary of the Navy.

SAME; JURISDICTION OF UNITED STATES OVER FEDERAL AREAS UNAFFECTED

§ 108. The provisions of sections 105 to 110 of this title shall not for the purposes of any other provision of law be deemed to deprive the United States of exclusive jurisdiction over any Federal area over which it would otherwise have exclusive jurisdiction or to limit the jurisdiction of the United States over any Federal area.

SAME; EXCEPTION OF INDIANS

§ 109. Nothing in sections 105 and 106 of this title shall be deemed to authorize the levy or collection of any tax on or from any Indian not otherwise taxed.

SAME; DEFINITIONS

§ 110. As used in sections 105–109 of this title—

(a) The term “person” shall have the meaning assigned to it in section 3797 of title 26.

(b) The term “sales or use tax” means any tax levied on, with respect to, or measured by, sales, receipts from sales, purchases, storage, or use of tangible personal property, except a tax with respect to which the provisions of section 104 of this title are applicable.

(c) The term “income tax” means any tax levied on, with respect to, or measured by, net income, gross income, or gross receipts.

(d) The term “State” includes any Territory or possession of the United States.

(e) The term “Federal area” means any lands or premises held or acquired by or for the use of the United States or any department, establishment, or agency of the United States; and any Federal area, or any part thereof, which is located within the exterior boundaries of any State, shall be deemed to be a Federal area located within such State.

SEC. 2. The sections or parts thereof of the Statutes at Large or the Revised Statutes covering provisions codified in this Act are hereby

Repeals.

repealed insofar as such provisions appear in title 4, United States Code, 1940 edition, and supplements thereto, as shown by the appended table: *Provided*, That any rights or liabilities now existing under such repealed sections or parts thereof shall not be affected by such repeal.

## STATUTES AT LARGE OR REVISED STATUTES

	Title 4, United States Code, section
R. S., secs. 1791, 1792	1
R. S., sec. 1792	2
Feb. 8, 1917, ch. 34, 39 Stat. 900	3
R. S., sec. 1793	4
R. S., secs. 203 (first clause), 1794	5
R. S., sec. 1795	6
R. S., sec. 1796	7
R. S., sec. 4798	8
R. S., sec. 1836	9
R. S., sec. 1837	10
R. S., sec. 1838	11
June 16, 1936, ch. 582, sec. 10, 49 Stat. 1521; Oct. 9, 1940, ch. 787, sec. 7, 54 Stat. 1060	12
Oct. 9, 1940, ch. 787, sec. 1, 54 Stat. 1059	13
Oct. 9, 1940, ch. 787, sec. 2, 54 Stat. 1060	14
Oct. 9, 1940, ch. 787, sec. 3, 54 Stat. 1060	15
Oct. 9, 1940, ch. 787, sec. 4, 54 Stat. 1060	16
Oct. 9, 1940, ch. 787, sec. 5, 54 Stat. 1060	17
Oct. 9, 1940, ch. 787, sec. 6, 54 Stat. 1060	18

Approved July 30, 1947.

## [CHAPTER 390]

## AN ACT

July 30, 1947  
[H. R. 1567]  
[Public Law 280]

To codify and enact into positive law title 6 of the United States Code, entitled "Official and Penal Bonds".

Title 6, U. S. Code.  
Codification and enactment into positive law.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That title 6 of the United States Code, entitled "Official and Penal Bonds", is codified and enacted into positive law and may be cited as "6 U. S. C., § —", as follows:

## TITLE 6—OFFICIAL AND PENAL BONDS

- § 1. Custody.
- § 2. Examination as to sufficiency of sureties.
- § 3. Renewal; continuance of liability.
- § 4. Notice of delinquency of principal.
- § 5. Limitation of actions against sureties.
- § 6. Surety companies as sureties.
- § 7. Same; appointment of agents; service of process.
- § 8. Same; deposit of copy of charter.
- § 9. Same; quarterly statements.
- § 10. Same; jurisdiction of suits on bonds.
- § 11. Same; nonpayment of judgment.
- § 12. Same; estoppel to deny corporate powers.
- § 13. Same; failure to comply with the law.
- § 14. Rate of premium on bond; premiums not to be paid by United States.
- § 15. Bonds or notes of United States in lieu of recognizance, stipulation, bond, guaranty, or undertaking; place of deposit; return to depositor; contractors' bonds.

## CUSTODY

§ 1. All bonds of the Treasurer of the United States, collectors of internal revenue, collectors, comptrollers of customs, surveyors, and other officers of the customs, either as such officers or as disbursing officers of the Treasury, bonds of the Secretary of the Senate, Clerk

of the House of Representatives, and the Sergeant at Arms of the House of Representatives, shall be placed in the custody of the Secretary of the Treasury and filed as he may direct; and the duties required by law on March 2, 1895, of the Comptroller of the Treasury in regard to such bonds, as the successor of the Commissioner of Customs and First Comptroller of the Treasury, shall be performed by the Secretary of the Treasury.

#### EXAMINATION AS TO SUFFICIENCY OF SURETIES

§ 2. Every officer required by law to take and approve official bonds shall cause the same to be examined at least once every two years for the purpose of ascertaining the sufficiency of the sureties thereon; and every officer having power to fix the amount of an official bond shall examine it to ascertain the sufficiency of the amount thereof and approve or fix said amount at least once in two years and as much oftener as he may deem it necessary.

#### RENEWAL; CONTINUANCE OF LIABILITY

§ 3. Every officer whose duty it is to take and approve official bonds shall cause all such bonds to be renewed every four years after their dates, but he may require such bonds to be renewed or strengthened oftener if he deem such action necessary. In the discretion of such officer the requirement of a new bond may be waived for the period of service of a bonded officer after the expiration of a four-year term of service pending the appointment and qualification of his successor. The nonperformance of any requirement of the provisions of sections 1 to 3 of this title, or of that part of section 27 of title 19 relating to transmitting copies of oaths to the Secretary of the Treasury, on the part of any official of the Government shall not be held to affect in any respect the liability of principal or sureties on any bond made or to be made to the United States. The liability of the principal and sureties on all official bonds shall continue and cover the period of service ensuing until the appointment and qualification of the successor of the principal. Nothing in said sections shall be construed to repeal or modify section 38 of title 39: *Provided*, That the payment and acceptance of the annual premium on corporate surety bonds furnished by postal officers and employees, officers and employees of other civilian agencies of the United States and bonded officers and enlisted men of the Army, Navy, Marine Corps, and Coast Guard shall be a compliance with the requirement for the renewal of such bonds within the meaning of sections 1 to 3 of this title.

#### NOTICE OF DELINQUENCY OF PRINCIPAL

§ 4. Whenever any deficiency shall be discovered in the accounts of any official of the United States, or of any officer disbursing or chargeable with public money, it shall be the duty of the accounting officers making such discovery to at once notify the head of the department having control over the affairs of said officer of the nature and amount of said deficiency, and it shall be the immediate duty of said head of department to at once notify all obligors upon the bond or bonds of such official of the nature of such deficiency and the amount thereof. Said notification shall be deemed sufficient if mailed at the post office in the city of Washington, District of Columbia, addressed to said sureties respectively and directed to the respective post offices where said obligors may reside, if known; but a failure to give or mail such notice shall not discharge the surety or sureties upon such bond.

## LIMITATION OF ACTIONS AGAINST SURETIES

§ 5. If, upon the statement of the account of any official of the United States, or of any officer disbursing or chargeable with public money, by the accounting officers, it shall thereby appear that he is indebted to the United States, and suit therefor shall not be instituted within five years after such statement of said account, the sureties on his bond shall not be liable for such indebtedness.

## SURETY COMPANIES AS SURETIES

§ 6. Whenever any recognizance, stipulation, bond, or undertaking conditioned for the faithful performance of any duty, or for doing or refraining from doing anything in such recognizance, stipulation, bond, or undertaking specified, is by the laws of the United States required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by a corporation incorporated under the laws of the United States or of any State having power to guarantee the fidelity of persons holding positions of public or private trust, and to execute and guarantee bonds and undertakings in judicial proceedings. Such recognizance, stipulation, bond, or undertaking shall be approved by the head of department, court, judge, officer, board, or body executive, legislative, or judicial required to approve or accept the same. No officer or person having the approval of any bond shall exact that it shall be furnished by a guaranty company or by any particular guaranty company.

## SAME; APPOINTMENT OF AGENTS; SERVICE OF PROCESS

§ 7. No such company shall do business under the provisions of sections 6 to 13 of this title beyond the limits of the State or Territory under whose laws it was incorporated and in which its principal office is located, nor beyond the limits of the District of Columbia, when such company was incorporated under its laws or the laws of the United States and its principal office is located in said District, until it shall by a written power of attorney appoint some person residing within the jurisdiction of the court for the judicial district wherein such suretyship is to be undertaken, who shall be a citizen of the State, Territory, or District of Columbia, wherein such court is held, as its agent, upon whom may be served all lawful process against such company, and who shall be authorized to enter an appearance in its behalf. A copy of such power of attorney, duly certified and authenticated, shall be filed with the clerk of the district court of the United States for such district at each place where a term of such court is or may be held, which copy, or a certified copy thereof, shall be legal evidence in all controversies arising under sections 6 to 13 of this title. If any such agent shall be removed, resign, or die, become insane, or otherwise incapable of acting, it shall be the duty of such company to appoint another agent in his place as hereinbefore prescribed, and until such appointment shall have been made, or during the absence of any agent of such company from such district, service of process may be upon the clerk of the court wherein such suit is brought, with like effect as upon an agent appointed by the company. The officer executing such process upon such clerk shall immediately transmit a copy thereof by mail to the company, and state such fact in his return. A judgment, decree, or order of a court entered or made after service of process as aforesaid shall be as valid and binding on such company as if served with process in said district.

## SAME; DEPOSIT OF COPY OF CHARTER

§ 8. Every company, before transacting any business under sections 6 to 13 of this title, shall deposit with the Secretary of the Treasury of the United States a copy of its charter or articles of incorporation, and a statement, signed and sworn to by its president and secretary, showing its assets and liabilities. If the said Secretary of the Treasury shall be satisfied that such company has authority under its charter to do the business provided for in sections 6 to 13 of this title, and that it has a paid-up capital of not less than \$250,000, in cash or its equivalent, and is able to keep and perform its contracts, he shall grant authority in writing to such company to do business under sections 6 to 13 of this title.

## SAME; QUARTERLY STATEMENTS

§ 9. Every such company shall, in the months of January, April, July, and October of each year, file with the said Secretary of the Treasury a statement, signed and sworn to by its president and secretary, showing its assets and liabilities, as is required by section 8 of this title. The said Secretary of the Treasury shall have the power, and it shall be his duty, to revoke the authority of any such company to transact any new business under sections 6 to 13 of this title whenever in his judgment such company is not solvent or is conducting its business in violation of sections 6 to 13 of this title. He may institute inquiry at any time into the solvency of said company and may require that additional security be given at any time by any principal when he deems such company no longer sufficient security.

## SAME; JURISDICTION OF SUITS ON BONDS

§ 10. Any surety company doing business under the provisions of sections 6 to 13 of this title may be sued in respect thereof in any court of the United States which has or may have jurisdiction of actions or suits upon such recognizance, stipulation, bond, or undertaking, in the district in which such recognizance, stipulation, bond, or undertaking was made or guaranteed, or in the district in which the principal office of such company is located. For the purposes of sections 6 to 13 of this title such recognizance, stipulation, bond, or undertaking shall be treated as made or guaranteed in the district in which the office is located, to which it is returnable, or in which it is filed, or in the district in which the principal in such recognizance, stipulation, bond, or undertaking resided when it was made or guaranteed.

## SAME; NONPAYMENT OF JUDGMENT

§ 11. If any such company shall neglect or refuse to pay any final judgment or decree rendered against it upon any such recognizance, stipulation, bond, or undertaking made or guaranteed by it under the provisions of sections 6 to 13 of this title, from which no appeal or supersedeas has been taken, for thirty days after the rendition of such judgment or decree, it shall forfeit all right to do business under sections 6 to 13 of this title.

## SAME; ESTOPPEL TO DENY CORPORATE POWERS

§ 12. Any company which shall execute or guarantee any recognizance, stipulation, bond, or undertaking under the provisions of sections 6 to 13 of this title shall be estopped in any proceeding to enforce the liability which it shall have assumed to incur, to deny its corporate power to execute or guarantee such instrument or assume such liability.

## SAME; FAILURE TO COMPLY WITH LAW

§ 13. Any company doing business under the provisions of sections 6 to 13 of this title which shall fail to comply with any of its provisions shall forfeit to the United States for every such failure not less than \$500 nor more than \$5,000, to be recovered by suit in the name of the United States in the same courts in which suit may be brought against such company under the provisions of sections 6 to 13 of this title, and such failure shall not affect the validity of any contract entered into by such company.

## RATE OF PREMIUM ON BOND; PREMIUMS NOT TO BE PAID BY UNITED STATES

§ 14. Until otherwise provided by law no bond shall be accepted from any surety or bonding company for any officer or employee of the United States which shall cost more than 35 per centum in excess of the rate of premium charged for a like bond during the calendar year 1908. The United States shall not pay any part of the premium or other cost of furnishing a bond required by law or otherwise of any officer or employee of the United States.

## BONDS OR NOTES OF UNITED STATES IN LIEU OF RECOGNIZANCE, STIPULATION, BOND, GUARANTY, OR UNDERTAKING; PLACE OF DEPOSIT; RETURN TO DEPOSITOR; CONTRACTORS' BONDS

§ 15. Wherever by the laws of the United States or regulations made pursuant thereto, any person is required to furnish any recognizance, stipulation, bond, guaranty, or undertaking, hereinafter called "penal bond", with surety or sureties, such person may, in lieu of such surety or sureties, deposit as security with the official having authority to approve such penal bond, United States Liberty bonds or other bonds or notes of the United States in a sum equal at their par value to the amount of such penal bond required to be furnished, together with an agreement authorizing such official to collect or sell such bonds or notes so deposited in case of any default in the performance of any of the conditions or stipulations of such penal bond. The acceptance of such United States bonds or notes in lieu of surety or sureties required by law shall have the same force and effect as individual or corporate sureties, or certified checks, bank drafts, post-office money orders, or cash, for the penalty or amount of such penal bond. The bonds or notes deposited hereunder, and such other United States bonds or notes as may be substituted therefor from time to time as such security, may be deposited with the Treasurer of the United States, a Federal Reserve bank, or other depository duly designated for that purpose by the Secretary, which shall issue receipt therefor, describing such bonds or notes so deposited. As soon as security for the performance of such penal bond is no longer necessary, such bonds or notes so deposited shall be returned to the depositor. In case a person or persons supplying a contractor with labor or material as provided by sections 270a to 270d of title 40 shall file with the obligee, at any time after a default in the performance of any contract subject to said sections 270a to 270d, the application and affidavit therein provided, the obligee shall not deliver to the obligor the deposited bonds or notes nor any surplus proceeds thereof until the expiration of the time limited by said sections 270a to 270d for the institution of suit by such person or persons, and, in case suit shall be instituted within such time, shall hold said bonds or notes or proceeds subject to the order of the court having jurisdiction thereof. Nothing herein contained shall affect or impair

Place of deposit.

Return to depositor.

Person supplying contractor with labor, etc.

the priority of the claim of the United States against the bonds or notes deposited or any right or remedy granted by said sections 270a to 270d or by this section to the United States for default upon any obligation of said penal bond. All laws inconsistent with this section are hereby so modified as to conform to the provisions hereof. Nothing contained herein shall affect the authority of courts over the security, where such bonds are taken as security in judicial proceedings, or the authority of any administrative officer of the United States to receive United States bonds for security in cases authorized by existing laws. The Secretary may prescribe rules and regulations necessary and proper for carrying this section into effect. The term "person" in this section means an individual, a trust or estate, a partnership, or a corporation; the term "Secretary" means the Secretary of the Treasury. In order to avoid the frequent substitution of securities such rules and regulations may limit the effect of this section, in appropriate classes of cases, to bonds and notes of the United States maturing more than a year after the date of deposit of such bonds as security. The phrase "bonds or notes of the United States" shall be deemed, for the purposes of this section, to mean any public-debt obligations of the United States and any bonds, notes, or other obligations which are unconditionally guaranteed as to both interest and principal by the United States.

"Person."

"Secretary."

"Bonds or notes of the United States."

SEC. 2. The sections or parts thereof of the Statutes at Large covering provisions codified in this Act, insofar as such provisions appear in title 6, United States Code, 1940 edition, and supplements thereto, as shown by the appended table, are hereby repealed: *Provided*, That any rights or liabilities now existing under such repealed sections or parts thereof shall not be affected by such repeal.

Repeals.

STATUTES AT LARGE		Title 6, United States Code, Section
Mar. 2, 1895, ch. 177, sec. 5, second paragraph, 28 Stat. 807; June 17, 1930, ch. 497, sec. 523, first paragraph, 46 Stat. 740	-----	1
Mar. 2, 1895, ch. 177, sec. 5, third paragraph, 28 Stat. 807	-----	2
Mar. 2, 1895, ch. 177, sec. 5, fourth paragraph, 28 Stat. 807; Mar. 8, 1928, ch. 148, 45 Stat. 247	-----	3
Aug. 8, 1888, ch. 787, sec. 1, 25 Stat. 387	-----	4
Aug. 8, 1888, ch. 787, sec. 2, 25 Stat. 387; as modified by June 10, 1921, ch. 18, sec. 301, 42 Stat. 23	-----	5
Aug. 13, 1894, ch. 282, sec. 1, 28 Stat. 279	-----	6
Aug. 13, 1894, ch. 282, sec. 2, 28 Stat. 279	-----	7
Aug. 13, 1894, ch. 282, sec. 3, 28 Stat. 279; Mar. 23, 1910, ch. 109, 36 Stat. 241	-----	8
Aug. 13, 1894, ch. 282, sec. 4, 28 Stat. 279; Mar. 23, 1910, ch. 109, 36 Stat. 241	-----	9
Aug. 13, 1894, ch. 282, sec. 5, 28 Stat. 280	-----	10
Aug. 13, 1894, ch. 282, sec. 6, 28 Stat. 280; as modified Jan. 31, 1928, ch. 14, sec. 1, 45 Stat. 54	-----	11
Aug. 13, 1894, ch. 282, sec. 7, 28 Stat. 280	-----	12
Aug. 13, 1894, ch. 282, sec. 8, 28 Stat. 280	-----	13
Aug. 5, 1909, ch. 7, 36 Stat. 125, first paragraph under "Department of Commerce and Labor"	-----	14
Feb. 24, 1919, ch. 18, sec. 1320, 40 Stat. 1148; Nov. 23, 1921, ch. 136, sec. 1329, 42 Stat. 318; Feb. 26, 1926, ch. 27, secs. 2 (a) (1), (6), 1126, 44 Stat. 9, 122; Feb. 4, 1935, ch. 5, sec. 7, 49 Stat. 22; Mar. 31, 1944, ch. 148, 58 Stat. 135, 136	-----	15
Approved July 30, 1947.		



[CHAPTER 391]

AN ACT

July 30, 1947  
[H. R. 2083]  
[Public Law 281]

To codify and enact into positive law title 17 of the United States Code, entitled "Copyrights".

Title 17, U. S. Code.  
Codification and enactment into positive law.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That title 17 of the United States Code entitled "Copyrights" is codified and enacted into positive law and may be cited as "Title 17, U. S. C., § —", as follows:

TITLE 17—COPYRIGHTS

Chap.	Sec.
1. Registration of copyright.....	1
2. Infringement proceedings.....	101
3. Copyright Office.....	201

Post, p. 660.  
Post, p. 665.

CHAPTER 1—REGISTRATION OF COPYRIGHTS

- § 1. Exclusive rights as to copyrighted works.
- § 2. Rights of author or proprietor of unpublished work.
- § 3. Protection of component parts of work copyrighted; composite works or periodicals.
- § 4. All writings of author included.
- § 5. Classification of works for registration.
- § 6. Registration of prints and labels.
- § 7. Copyright on compilations of works in public domain or of copyrighted works; subsisting copyrights not affected.
- § 8. Copyright not to subsist in works in public domain, or published prior to July 1, 1909, and not already copyrighted, or Government publications; publication by Government of copyrighted material.
- § 9. Authors or proprietors, entitled; aliens.
- § 10. Publication of work with notice.
- § 11. Registration of claim and issuance of certificate.
- § 12. Works not reproduced for sale.
- § 13. Deposit of copies after publication; action or proceeding for infringement.
- § 14. Same; failure to deposit; demand; penalty.
- § 15. Same; postmaster's receipt; transmission by mail without cost.
- § 16. Mechanical work to be done in United States.
- § 17. Affidavit to accompany copies.
- § 18. Making false affidavit.
- § 19. Notice; form.
- § 20. Same; place of application of; one notice in each volume or number of newspaper or periodical.
- § 21. Same; effect of accidental omission from copy or copies.
- § 22. Ad interim protection of book published abroad.
- § 23. Same; extension to full term.
- § 24. Duration; renewal and extension.
- § 25. Renewal of copyrights registered in Patent Office under repealed law.
- § 26. Terms defined.
- § 27. Copyright distinct from property in object copyrighted; effect of sale of object, and of assignment of copyright.
- § 28. Assignments and bequests.
- § 29. Same; executed in foreign country; acknowledgment and certificate.
- § 30. Same; record.
- § 31. Same; certificate of record.
- § 32. Same; use of name of assignee in notice.

§ 1. EXCLUSIVE RIGHTS AS TO COPYRIGHTED WORKS.—Any person entitled thereto, upon complying with the provisions of this title, shall have the exclusive right:

(a) To print, reprint, publish, copy, and vend the copyrighted work;

(b) To translate the copyrighted work into other languages or dialects, or make any other version thereof, if it be a literary work; to dramatize it if it be a nondramatic work; to convert it into a novel or other nondramatic work if it be a drama; to arrange or adapt it if it be a musical work; to complete, execute, and finish it if it be a model or design for a work of art;

(c) To deliver or authorize the delivery of the copyrighted work in public for profit if it be a lecture, sermon, address, or similar production;

(d) To perform or represent the copyrighted work publicly if it be a drama or, if it be a dramatic work and not reproduced in copies for sale, to vend any manuscript or any record whatsoever thereof; to make or to procure the making of any transcription or record thereof by or from which, in whole or in part, it may in any manner or by any method be exhibited, performed, represented, produced, or reproduced; and to exhibit, perform, represent, produce, or reproduce it in any manner or by any method whatsoever; and

Public performance,  
etc.

(e) To perform the copyrighted work publicly for profit if it be a musical composition; and for the purpose of public performance for profit, and for the purposes set forth in subsection (a) hereof, to make any arrangement or setting of it or of the melody of it in any system of notation or any form of record in which the thought of an author may be recorded and from which it may be read or reproduced: *Provided*, That the provisions of this title, so far as they secure copyright controlling the parts of instruments serving to reproduce mechanically the musical work, shall include only compositions published and copyrighted after July 1, 1909, and shall not include the works of a foreign author or composer unless the foreign state or nation of which such author or composer is a citizen or subject grants, either by treaty, convention, agreement, or law, to citizens of the United States similar rights. And as a condition of extending the copyright control to such mechanical reproductions, that whenever the owner of a musical copyright has used or permitted or knowingly acquiesced in the use of the copyrighted work upon the parts of instruments serving to reproduce mechanically the musical work, any other person may make similar use of the copyrighted work upon the payment to the copyright proprietor of a royalty of 2 cents on each such part manufactured, to be paid by the manufacturer thereof; and the copyright proprietor may require, and if so the manufacturer shall furnish, a report under oath on the 20th day of each month on the number of parts of instruments manufactured during the previous month serving to reproduce mechanically said musical work, and royalties shall be due on the parts manufactured during any month upon the 20th of the next succeeding month. The payment of the royalty provided for by this section shall free the articles or devices for which such royalty has been paid from further contribution to the copyright except in case of public performance for profit. It shall be the duty of the copyright owner, if he uses the musical composition himself for the manufacture of parts of instruments serving to reproduce mechanically the musical work, or licenses others to do so, to file notice thereof, accompanied by a recording fee, in the copyright office, and any failure to file such notice shall be a complete defense to any suit, action, or proceeding for any infringement of such copyright.

Compositions in-  
cludible.

Payment of royalty.

In case of failure of such manufacturer to pay to the copyright proprietor within thirty days after demand in writing the full sum

Failure of manufac-  
turer to pay royalty.

of royalties due at said rate at the date of such demand, the court may award taxable costs to the plaintiff and a reasonable counsel fee, and the court may, in its discretion, enter judgment therein for any sum in addition over the amount found to be due as royalty in accordance with the terms of this title, not exceeding three times such amount.

Rendition by coin-operated machines.

The reproduction or rendition of a musical composition by or upon coin-operated machines shall not be deemed a public performance for profit unless a fee is charged for admission to the place where such reproduction or rendition occurs.

§ 2. RIGHTS OF AUTHOR OR PROPRIETOR OF UNPUBLISHED WORK.—Nothing in this title shall be construed to annul or limit the right of the author or proprietor of an unpublished work, at common law or in equity, to prevent the copying, publication, or use of such unpublished work without his consent, and to obtain damages therefor.

§ 3. PROTECTION OF COMPONENT PARTS OF WORK COPYRIGHTED; COMPOSITE WORKS OR PERIODICALS.—The copyright provided by this title shall protect all the copyrightable component parts of the work copyrighted, and all matter therein in which copyright is already subsisting, but without extending the duration or scope of such copyright. The copyright upon composite works or periodicals shall give to the proprietor thereof all the rights in respect thereto which he would have if each part were individually copyrighted under this title.

§ 4. ALL WRITINGS OF AUTHOR INCLUDED.—The works for which copyright may be secured under this title shall include all the writings of an author.

§ 5. CLASSIFICATION OF WORKS FOR REGISTRATION.—The application for registration shall specify to which of the following classes the work in which copyright is claimed belongs:

- (a) Books, including composite and cyclopedic works, directories, gazetteers, and other compilations.
- (b) Periodicals, including newspapers.
- (c) Lectures, sermons, addresses (prepared for oral delivery).
- (d) Dramatic or dramatico-musical compositions.
- (e) Musical compositions.
- (f) Maps.
- (g) Works of art; models or designs for works of art.
- (h) Reproductions of a work of art.
- (i) Drawings or plastic works of a scientific or technical character.
- (j) Photographs.
- (k) Prints and pictorial illustrations including prints or labels used for articles of merchandise.
- (l) Motion-picture photoplays.
- (m) Motion pictures other than photoplays.

The above specifications shall not be held to limit the subject matter of copyright as defined in section 4 of this title, nor shall any error in classification invalidate or impair the copyright protection secured under this title.

§ 6. REGISTRATION OF PRINTS AND LABELS.—Commencing July 1, 1940, the Register of Copyrights is charged with the registration of claims to copyright properly presented, in all prints and labels published in connection with the sale or advertisement of articles of merchandise, including all claims to copyright in prints and labels pending in the Patent Office and uncleared at the close of business June 30, 1940. There shall be paid for registering a claim of copyright in any such print or label not a trade-mark \$6, which sum shall cover the expense of furnishing a certificate of such registration, under the seal of the Copyright Office, to the claimant of copyright.

§ 7. COPYRIGHT ON COMPILATIONS OF WORKS IN PUBLIC DOMAIN OR OF COPYRIGHTED WORKS; SUBSISTING COPYRIGHTS NOT AFFECTED.—Compilations or abridgments, adaptations, arrangements, dramatizations, translations, or other versions of works in the public domain or of copyrighted works when produced with the consent of the proprietor of the copyright in such works, or works republished with new matter, shall be regarded as new works subject to copyright under the provisions of this title; but the publication of any such new works shall not affect the force or validity of any subsisting copyright upon the matter employed or any part thereof, or be construed to imply an exclusive right to such use of the original works, or to secure or extend copyright in such original works.

§ 8. COPYRIGHT NOT TO SUBSIST IN WORKS IN PUBLIC DOMAIN, OR PUBLISHED PRIOR TO JULY 1, 1909, AND NOT ALREADY COPYRIGHTED, OR GOVERNMENT PUBLICATIONS; PUBLICATION BY GOVERNMENT OF COPYRIGHTED MATERIAL.—No copyright shall subsist in the original text of any work which is in the public domain, or in any work which was published in this country or any foreign country prior to July 1, 1909, and has not been already copyrighted in the United States, or in any publication of the United States Government, or any reprint, in whole or in part, thereof: *Provided*, That copyright may be secured by the Postmaster General on behalf of the United States in the whole or any part of the publications authorized by section 1 of the Act of June 27, 1938 (39 U. S. C. 371).

*Post*, p. 669.

The publication or republication by the Government, either separately or in a public document, of any material in which copyright is subsisting shall not be taken to cause any abridgment or annulment of the copyright or to authorize any use or appropriation of such copyright material without the consent of the copyright proprietor.

§ 9. AUTHORS OR PROPRIETORS, ENTITLED; ALIENS.—The author or proprietor of any work made the subject of copyright by this title, or his executors, administrators, or assigns, shall have copyright for such work under the conditions and for the terms specified in this title: *Provided, however*, That the copyright secured by this title shall extend to the work of an author or proprietor who is a citizen or subject of a foreign state or nation only:

Alien author, etc.

(a) When an alien author or proprietor shall be domiciled within the United States at the time of the first publication of his work; or

(b) When the foreign state or nation of which such author or proprietor is a citizen or subject grants, either by treaty, convention, agreement, or law, to citizens of the United States the benefit of copyright on substantially the same basis as to its own citizens, or copyright protection, substantially equal to the protection secured to such foreign author under this title or by treaty; or when such foreign state or nation is a party to an international agreement which provides for reciprocity in the granting of copyright, by the terms of which agreement the United States may, at its pleasure, become a party thereto.

Reciprocal conditions.

The existence of the reciprocal conditions aforesaid shall be determined by the President of the United States, by proclamation made from time to time, as the purposes of this title may require: *Provided*, That whenever the President shall find that the authors, copyright owners, or proprietors of works first produced or published abroad and subject to copyright or to renewal of copyright under the laws of the United States, including works subject to ad interim copyright, are or may have been temporarily unable to comply with the conditions and formalities prescribed with respect to such works by the copyright laws of the United States, because of the disruption or suspension

Determination by President.

Extension of time for fulfillment of formalities, etc.

Nonliability.

Termination of  
proclamation, etc.

of facilities essential for such compliance, he may by proclamation grant such extension of time as he may deem appropriate for the fulfillment of such conditions or formalities by authors, copyright owners, or proprietors who are citizens of the United States or who are nationals of countries which accord substantially equal treatment in this respect to authors, copyright owners, or proprietors who are citizens of the United States: *Provided further*, That no liability shall attach under this title for lawful uses made or acts done prior to the effective date of such proclamation in connection with such works, or in respect to the continuance for one year subsequent to such date of any business undertaking or enterprise lawfully undertaken prior to such date involving expenditure or contractual obligation in connection with the exploitation, production, reproduction, circulation, or performance of any such work.

The President may at any time terminate any proclamation authorized herein or any part thereof or suspend or extend its operation for such period or periods of time as in his judgment the interests of the United States may require.

§ 10. PUBLICATION OF WORK WITH NOTICE.—Any person entitled thereto by this title may secure copyright for his work by publication thereof with the notice of copyright required by this title; and such notice shall be affixed to each copy thereof published or offered for sale in the United States by authority of the copyright proprietor, except in the case of books seeking ad interim protection under section 22 of this title.

Post, p. 666.

§ 11. REGISTRATION OF CLAIM AND ISSUANCE OF CERTIFICATE.—Such person may obtain registration of his claim to copyright by complying with the provisions of this title, including the deposit of copies, and upon such compliance the Register of Copyrights shall issue to him the certificates provided for in section 209 of this title.

§ 12. WORKS NOT REPRODUCED FOR SALE.—Copyright may also be had of the works of an author, of which copies are not reproduced for sale, by the deposit, with claim of copyright, of one complete copy of such work if it be a lecture or similar production or a dramatic, musical, or dramatico-musical composition; of a title and description, with one print taken from each scene or act, if the work be a motion-picture photoplay; of a photographic print if the work be a photograph; of a title and description, with not less than two prints taken from different sections of a complete motion picture, if the work be a motion picture other than a photoplay; or of a photograph or other identifying reproduction thereof, if it be a work of art or a plastic work or drawing. But the privilege of registration of copyright secured hereunder shall not exempt the copyright proprietor from the deposit of copies, under sections 13 and 14 of this title, where the work is later reproduced in copies for sale.

§ 13. DEPOSIT OF COPIES AFTER PUBLICATION; ACTION OR PROCEEDING FOR INFRINGEMENT.—After copyright has been secured by publication of the work with the notice of copyright as provided in section 10 of this title, there shall be promptly deposited in the copyright office or in the mail addressed to the Register of Copyrights, Washington, District of Columbia, two complete copies of the best edition thereof then published, or if the work is by an author who is a citizen or subject of a foreign state or nation and has been published in a foreign country, one complete copy of the best edition then published in such foreign country, which copies or copy, if the work be a book or periodical, shall have been produced in accordance with the manufacturing provisions specified in section 16 of this title; or if such work be a contribution to a periodical, for which contribution special registration is

requested, one copy of the issue or issues containing such contribution; or if the work is not reproduced in copies for sale there shall be deposited the copy, print, photograph, or other identifying reproduction provided by section 12 of this title, such copies or copy, print, photograph, or other reproduction to be accompanied in each case by a claim of copyright. No action or proceeding shall be maintained for infringement of copyright in any work until the provisions of this title with respect to the deposit of copies and registration of such work shall have been complied with.

§ 14. **SAME; FAILURE TO DEPOSIT; DEMAND; PENALTY.**—Should the copies called for by section 13 of this title not be promptly deposited as provided in this title, the Register of Copyrights may at any time after the publication of the work, upon actual notice, require the proprietor of the copyright to deposit them, and after the said demand shall have been made, in default of the deposit of copies of the work within three months from any part of the United States, except an outlying territorial possession of the United States, or within six months from any outlying territorial possession of the United States, or from any foreign country, the proprietor of the copyright shall be liable to a fine of \$100 and to pay to the Library of Congress twice the amount of the retail price of the best edition of the work, and the copyright shall become void.

§ 15. **SAME; POSTMASTER'S RECEIPT; TRANSMISSION BY MAIL WITHOUT COST.**—The postmaster to whom are delivered the articles deposited as provided in sections 12 and 13 of this title shall, if requested, give a receipt therefor and shall mail them to their destination without cost to the copyright claimant.

§ 16. **MECHANICAL WORK TO BE DONE IN UNITED STATES.**—Of the printed book or periodical specified in section 5, subsections (a) and (b), of this title, except the original text of a book of foreign origin in a language or languages other than English, the text of all copies accorded protection under this title, except as below provided, shall be printed from type set within the limits of the United States, either by hand or by the aid of any kind of typesetting machine, or from plates made within the limits of the United States from type set therein, or, if the text be produced by lithographic process, or photoengraving process, then by a process wholly performed within the limits of the United States, and the printing of the text and binding of the said book shall be performed within the limits of the United States; which requirements shall extend also to the illustrations within a book consisting of printed text and illustrations produced by lithographic process, or photoengraving process, and also to separate lithographs or photoengravings, except where in either case the subjects represented are located in a foreign country and illustrate a scientific work or reproduce a work of art: *Provided, however,* That said requirements shall not apply to works in raised characters for the use of the blind, or to books of foreign origin in a language or languages other than English, or to books published abroad in the English language seeking ad interim protection under this title, or to works printed or produced in the United States by any other process than those above specified in this section.

*Nonapplicability of requirements.*

§ 17. **AFFIDAVIT TO ACCOMPANY COPIES.**—In the case of the book the copies so deposited shall be accompanied by an affidavit under the official seal of any officer authorized to administer oaths within the United States, duly made by the person claiming copyright or by his duly authorized agent or representative residing in the United States, or by the printer who has printed the book, setting forth that the copies deposited have been printed from type set within the limits of the United States or from plates made within the limits

of the United States from type set therein; or, if the text be produced by lithographic process, or photoengraving process, that such process was wholly performed within the limits of the United States and that the printing of the text and binding of the said book have also been performed within the limits of the United States. Such affidavit shall state also the place where and the establishment or establishments in which such type was set or plates were made or lithographic process, or photoengraving process or printing and binding were performed and the date of the completion of the printing of the book or the date of publication.

§ 18. MAKING FALSE AFFIDAVIT.—Any person who, for the purpose of obtaining registration of a claim to copyright, shall knowingly make a false affidavit as to his having complied with the above conditions shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than \$1,000, and all of his rights and privileges under said copyright shall thereafter be forfeited.

§ 19. NOTICE; FORM.—The notice of copyright required by section 10 of this title shall consist either of the word "Copyright" or the abbreviation "Copr.", accompanied by the name of the copyright proprietor, and if the work be a printed literary, musical, or dramatic work, the notice shall include also the year in which the copyright was secured by publication. In the case, however, of copies of works specified in subsections (f) to (k), inclusive, of section 5 of this title, the notice may consist of the letter C enclosed within a circle, thus ©, accompanied by the initials, monogram, mark, or symbol of the copyright proprietor: *Provided*, That on some accessible portion of such copies or of the margin, back, permanent base, or pedestal, or of the substance on which such copies shall be mounted, his name shall appear. But in the case of works in which copyright was subsisting on July 1, 1909, the notice of copyright may be either in one of the forms prescribed herein or may consist of the following words: "Entered according to Act of Congress, in the year —, by A. B., in the office of the Librarian of Congress, at Washington"; or, at his option, the word "Copyright", together with the year the copyright was entered and the name of the party by whom it was taken out; thus, "Copyright, 19—, by A. B."

Works in which  
copyright was subsist-  
ing on July 1, 1909.

§ 20. SAME; PLACE OF APPLICATION OF; ONE NOTICE IN EACH VOLUME OR NUMBER OF NEWSPAPER OR PERIODICAL.—The notice of copyright shall be applied, in the case of a book or other printed publication, upon its title page or the page immediately following, or if a periodical either upon the title page or upon the first page of text of each separate number or under the title heading, or if a musical work either upon its title page or the first page of music. One notice of copyright in each volume or in each number of a newspaper or periodical published shall suffice.

§ 21. SAME; EFFECT OF ACCIDENTAL OMISSION FROM COPY OR COPIES.—Where the copyright proprietor has sought to comply with the provisions of this title with respect to notice, the omission by accident or mistake of the prescribed notice from a particular copy or copies shall not invalidate the copyright or prevent recovery for infringement against any person who, after actual notice of the copyright, begins an undertaking to infringe it, but shall prevent the recovery of damages against an innocent infringer who has been misled by the omission of the notice; and in a suit for infringement no permanent injunction shall be had unless the copyright proprietor shall reimburse to the innocent infringer his reasonable outlay innocently incurred if the court, in its discretion, shall so direct.

§ 22. AD INTERIM PROTECTION OF BOOK PUBLISHED ABROAD.—In the case of a book first published abroad in the English language, the deposit in the copyright office, not later than sixty days after its publication abroad, of one complete copy of the foreign edition, with a request for the reservation of the copyright and a statement of the name and nationality of the author and of the copyright proprietor and of the date of publication of the said book, shall secure to the author or proprietor an ad interim copyright, which shall have all the force and effect given to copyright by this title, and shall endure until the expiration of four months after such deposit in the copyright office.

§ 23. SAME; EXTENSION TO FULL TERM.—Whenever within the period of such ad interim protection an authorized edition of such books shall be published within the United States, in accordance with the manufacturing provisions specified in section 16 of this title, and whenever the provisions of this title as to deposit of copies, registration, filing of affidavits, and the printing of the copyright notice shall have been duly complied with, the copyright shall be extended to endure in such book for the term provided in this title.

§ 24. DURATION; RENEWAL AND EXTENSION.—The copyright secured by this title shall endure for twenty-eight years from the date of first publication, whether the copyrighted work bears the author's true name or is published anonymously or under an assumed name: *Provided*, That in the case of any posthumous work or of any periodical, cyclopedic, or other composite work upon which the copyright was originally secured by the proprietor thereof, or of any work copyrighted by a corporate body (otherwise than as assignee or licensee of the individual author) or by an employer for whom such work is made for hire, the proprietor of such copyright shall be entitled to a renewal and extension of the copyright in such work for the further term of twenty-eight years when application for such renewal and extension shall have been made to the copyright office and duly registered therein within one year prior to the expiration of the original term of copyright: *And provided further*, That in the case of any other copyrighted work, including a contribution by an individual author to a periodical or to a cyclopedic or other composite work, the author of such work, if still living, or the widow, widower, or children of the author, if the author be not living, or if such author, widow, widower, or children be not living, then the author's executors, or in the absence of a will, his next of kin shall be entitled to a renewal and extension of the copyright in such work for a further term of twenty-eight years when application for such renewal and extension shall have been made to the copyright office and duly registered therein within one year prior to the expiration of the original term of copyright: *And provided further*, That in default of the registration of such application for renewal and extension, the copyright in any work shall determine at the expiration of twenty-eight years from first publication.

Posthumous work,  
etc.

Other copyrighted  
work.

Default of registra-  
tion of application.

§ 25. RENEWAL OF COPYRIGHTS REGISTERED IN PATENT OFFICE UNDER REPEALED LAW.—Subsisting copyrights originally registered in the Patent Office prior to July 1, 1940, under section 3 of the act of June 18, 1874, shall be subject to renewal in behalf of the proprietor upon application made to the Register of Copyrights within one year prior to the expiration of the original term of twenty-eight years.

Copyrights regis-  
tered prior to July 1,  
1940.  
53 Stat. 1142.

§ 26. TERMS DEFINED.—In the interpretation and construction of this title "the date of publication" shall in the case of a work of which copies are reproduced for sale or distribution be held to be the earliest

"The date of publi-  
cation."



"Author."

date when copies of the first authorized edition were placed on sale, sold, or publicly distributed by the proprietor of the copyright or under his authority, and the word "author" shall include an employer in the case of works made for hire.

§ 27. COPYRIGHT DISTINCT FROM PROPERTY IN OBJECT COPYRIGHTED; EFFECT OF SALE OF OBJECT, AND OF ASSIGNMENT OF COPYRIGHT.—The copyright is distinct from the property in the material object copyrighted, and the sale or conveyance, by gift or otherwise, of the material object shall not of itself constitute a transfer of the copyright, nor shall the assignment of the copyright constitute a transfer of the title to the material object; but nothing in this title shall be deemed to forbid, prevent, or restrict the transfer of any copy of a copyrighted work the possession of which has been lawfully obtained.

§ 28. ASSIGNMENTS AND BEQUESTS.—Copyright secured under this title or previous copyright laws of the United States may be assigned, granted, or mortgaged by an instrument in writing signed by the proprietor of the copyright, or may be bequeathed by will.

§ 29. SAME; EXECUTED IN FOREIGN COUNTRY; ACKNOWLEDGMENT AND CERTIFICATE.—Every assignment of copyright executed in a foreign country shall be acknowledged by the assignor before a consular officer or secretary of legation of the United States authorized by law to administer oaths or perform notarial acts. The certificate of such acknowledgment under the hand and official seal of such consular officer or secretary of legation shall be prima facie evidence of the execution of the instrument.

§ 30. SAME; RECORD.—Every assignment of copyright shall be recorded in the copyright office within three calendar months after its execution in the United States or within six calendar months after its execution without the limits of the United States, in default of which it shall be void as against any subsequent purchaser or mortgagee for a valuable consideration, without notice, whose assignment has been duly recorded.

§ 31. SAME; CERTIFICATE OF RECORD.—The Register of Copyrights shall, upon payment of the prescribed fee, record such assignment, and shall return it to the sender with a certificate of record attached under seal of the copyright office, and upon the payment of the fee prescribed by this title he shall furnish to any person requesting the same a certified copy thereof under the said seal.

§ 32. SAME; USE OF NAME OF ASSIGNEE IN NOTICE.—When an assignment of the copyright in a specified book or other work has been recorded the assignee may substitute his name for that of the assignor in the statutory notice of copyright prescribed by this title.

#### CHAPTER 2—INFRINGEMENT PROCEEDINGS

##### § 101. Infringement:

- (a) Injunction.
- (b) Damages and profits; amounts; other remedies.
- (c) Impounding during action.
- (d) Destruction of infringing copies and plates.
- (e) Royalties for use of mechanical reproduction of musical works.
- (f) Rules of procedure.

§ 102. Jurisdiction of courts in enforcing remedies.

§ 103. Joinder of proceedings for different remedies.

§ 104. Willful infringement for profit.

§ 105. Fraudulent notice of copyright, or removal or alteration of notice.

§ 106. Importation of article bearing false notice or piratical copies of copyrighted work.

§ 107. Importation, during existence of copyright, of piratical copies, or of copies not produced in accordance with section 16 of this title.

§ 108. Forfeiture and destruction of articles prohibited importation.

§ 109. Importation of prohibited articles; regulations; proof of deposit of copies by complainants.

- § 110. Jurisdiction of actions under laws.
- § 111. District in which actions may be brought.
- § 112. Injunctions; service and enforcement.
- § 113. Transmission of certified copies of papers for enforcement of injunction by other court.
- § 114. Review of orders, judgments, or decrees.
- § 115. Limitation of criminal proceedings.
- § 116. Costs; attorney's fees.

§ 101. INFRINGEMENT.—If any person shall infringe the copyright in any work protected under the copyright laws of the United States such person shall be liable:

(a) INJUNCTION.—To an injunction restraining such infringement;

(b) DAMAGES AND PROFITS; AMOUNT; OTHER REMEDIES.—To pay to the copyright proprietor such damages as the copyright proprietor may have suffered due to the infringement, as well as all the profits which the infringer shall have made from such infringement, and in proving profits the plaintiff shall be required to prove sales only, and the defendant shall be required to prove every element of cost which he claims, or in lieu of actual damages and profits, such damages as to the court shall appear to be just, and in assessing such damages the court may, in its discretion, allow the amounts as hereinafter stated, but in case of a newspaper reproduction of a copyrighted photograph, such damages shall not exceed the sum of \$200 nor be less than the sum of \$50, and in the case of the infringement of an undramatized or nondramatic work by means of motion pictures, where the infringer shall show that he was not aware that he was infringing, and that such infringement could not have been reasonably foreseen, such damages shall not exceed the sum of \$100; and in the case of an infringement of a copyrighted dramatic or dramatico-musical work by a maker of motion pictures and his agencies for distribution thereof to exhibitors, where such infringer shows that he was not aware that he was infringing a copyrighted work, and that such infringements could not reasonably have been foreseen, the entire sum of such damages recoverable by the copyright proprietor from such infringing maker and his agencies for the distribution to exhibitors of such infringing motion picture shall not exceed the sum of \$5,000 nor be less than \$250, and such damages shall in no other case exceed the sum of \$5,000 nor be less than the sum of \$250, and shall not be regarded as a penalty. But the foregoing exceptions shall not deprive the copyright proprietor of any other remedy given him under this law, nor shall the limitation as to the amount of recovery apply to infringements occurring after the actual notice to a defendant, either by service of process in a suit or other written notice served upon him.

Newspaper reproduction of copyrighted photograph.

Infringement by means of motion pictures.

First. In the case of a painting, statue, or sculpture, \$10 for every infringing copy made or sold by or found in the possession of the infringer or his agents or employees;

Second. In the case of any work enumerated in section 5 of this title, except a painting, statue, or sculpture, \$1 for every infringing copy made or sold by or found in the possession of the infringer or his agents or employees;

Third. In the case of a lecture, sermon, or address, \$50 for every infringing delivery;

Fourth. In the case of a dramatic or dramatico-musical or a choral or orchestral composition, \$100 for the first and \$50 for every subsequent infringing performance; in the case of other musical compositions \$10 for every infringing performance;

(c) IMPOUNDING DURING ACTION.—To deliver up on oath, to be impounded during the pendency of the action, upon such terms and conditions as the court may prescribe, all articles alleged to infringe a copyright;

(d) **DESTRUCTION OF INFRINGING COPIES AND PLATES.**—To deliver up on oath for destruction all the infringing copies or devices, as well as all plates, molds, matrices, or other means for making such infringing copies as the court may order.

Use of musical compositions without license agreement.

(e) **ROYALTIES FOR USE OF MECHANICAL REPRODUCTION OF MUSICAL WORKS.**—Whenever the owner of a musical copyright has used or permitted the use of the copyrighted work upon the parts of musical instruments serving to reproduce mechanically the musical work, then in case of infringement of such copyright by the unauthorized manufacture, use, or sale of interchangeable parts, such as disks, rolls, bands, or cylinders for use in mechanical music-producing machines adapted to reproduce the copyrighted music, no criminal action shall be brought, but in a civil action an injunction may be granted upon such terms as the court may impose, and the plaintiff shall be entitled to recover in lieu of profits and damages a royalty as provided in section 1, subsection (e), of this title: *Provided also*, That whenever any person, in the absence of a license agreement, intends to use a copyrighted musical composition upon the parts of instruments serving to reproduce mechanically the musical work, relying upon the compulsory license provision of this title, he shall serve notice of such intention, by registered mail, upon the copyright proprietor at his last address disclosed by the records of the copyright office, sending to the copyright office a duplicate of such notice; and in case of his failure so to do the court may, in its discretion, in addition to sums hereinabove mentioned, award the complainant a further sum, not to exceed three times the amount provided by section 1, subsection (e), of this title, by way of damages, and not as a penalty, and also a temporary injunction until the full award is paid.

*Ante*, p. 653.

(f) **RULES OF PROCEDURE.**—Rules and regulations for practice and procedure under this section shall be prescribed by the Supreme Court of the United States.

§ 102. **JURISDICTION OF COURTS IN ENFORCING REMEDIES.**—Any court given jurisdiction under section 110 of this title may proceed in any action, suit, or proceeding instituted for violation of any provision hereof to enter a judgment or decree enforcing the remedies herein provided.

§ 103. **JOINDER OF PROCEEDINGS FOR DIFFERENT REMEDIES.**—The proceedings for an injunction, damages, and profits, and those for the seizure of infringing copies, plates, molds, matrices, and so forth, aforementioned, may be united in one action.

Religious or secular works.

§ 104. **WILLFUL INFRINGEMENT FOR PROFIT.**—Any person who willfully and for profit shall infringe any copyright secured by this title, or who shall knowingly and willfully aid or abet such infringement, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment for not exceeding one year or by a fine of not less than \$100 nor more than \$1,000, or both, in the discretion of the court: *Provided, however*, That nothing in this title shall be so construed as to prevent the performance of religious or secular works such as oratorios, cantatas, masses, or octavo choruses by public schools, church choirs, or vocal societies, rented, borrowed, or obtained from some public library, public school, church choir, school choir, or vocal society, provided the performance is given for charitable or educational purposes and not for profit.

§ 105. **FRAUDULENT NOTICE OF COPYRIGHT, OR REMOVAL OR ALTERATION OF NOTICE.**—Any person who, with fraudulent intent, shall insert or impress any notice of copyright required by this title, or words of the same purport, in or upon any uncopyrighted article, or with fraudulent intent shall remove or alter the copyright notice upon any

article duly copyrighted shall be guilty of a misdemeanor, punishable by a fine of not less than \$100 and not more than \$1,000. Any person who shall knowingly issue or sell any article bearing a notice of United States copyright which has not been copyrighted in this country, or who shall knowingly import any article bearing such notice or words of the same purport, which has not been copyrighted in this country, shall be liable to a fine of \$100.

§ 106. IMPORTATION OF ARTICLE BEARING FALSE NOTICE OR PIRATICAL COPIES OF COPYRIGHTED WORK.—The importation into the United States of any article bearing a false notice of copyright when there is no existing copyright thereon in the United States, or of any piratical copies of any work copyrighted in the United States, is prohibited.

§ 107. IMPORTATION, DURING EXISTENCE OF COPYRIGHT, OF PIRATICAL COPIES, OR OF COPIES NOT PRODUCED IN ACCORDANCE WITH SECTION 16 OF THIS TITLE.—During the existence of the American copyright in any book the importation into the United States of any piratical copies thereof or of any copies thereof (although authorized by the author or proprietor) which have not been produced in accordance with the manufacturing provisions specified in section 16 of this title, or any plates of the same not made from type set within the limits of the United States, or any copies thereof produced by lithographic or photoengraving process not performed within the limits of the United States, in accordance with the provisions of section 16 of this title, is prohibited: *Provided, however,* That, except as regards piratical copies, such prohibition shall not apply:

*Ante, p. 657.*

Nonapplicability of prohibition.

(a) To works in raised characters for the use of the blind.

(b) To a foreign newspaper or magazine, although containing matter copyrighted in the United States printed or reprinted by authority of the copyright proprietor, unless such newspaper or magazine contains also copyright matter printed or reprinted without such authorization.

(c) To the authorized edition of a book in a foreign language or languages of which only a translation into English has been copyrighted in this country.

(d) To any book published abroad with the authorization of the author or copyright proprietor when imported under the circumstances stated in one of the four subdivisions following, that is to say:

First. When imported, not more than one copy at one time, for individual use and not for sale; but such privilege of importation shall not extend to a foreign reprint of a book by an American author copyrighted in the United States.

Second. When imported by the authority or for the use of the United States.

Third. When imported, for use and not for sale, not more than one copy of any such book in any one invoice, in good faith by or for any society or institution incorporated for educational, literary, philosophical, scientific, or religious purposes, or for the encouragement of the fine arts, or for any college, academy, school, or seminary of learning, or for any State, school, college, university, or free public library in the United States.

Fourth. When such books form parts of libraries or collections purchased en bloc for the use of societies, institutions, or libraries designated in the foregoing paragraph, or form parts of the libraries or personal baggage belonging to persons or families arriving from foreign countries and are not intended for sale: *Provided,* That copies imported as above may not lawfully be used in any way to violate the rights of the proprietor of the American copyright or annul or limit the copyright protection secured by this title, and such unlawful use shall be deemed an infringement of copyright.

Return of copies to  
country of export.

§ 108. FORFEITURE AND DESTRUCTION OF ARTICLES PROHIBITED IMPORTATION.—Any and all articles prohibited importation by this title which are brought into the United States from any foreign country (except in the mails) shall be seized and forfeited by like proceedings as those provided by law for the seizure and condemnation of property imported into the United States in violation of the customs revenue laws. Such articles when forfeited shall be destroyed in such manner as the Secretary of the Treasury or the court, as the case may be, shall direct: *Provided, however,* That all copies of authorized editions of copyright books imported in the mails or otherwise in violation of the provisions of this title may be exported and returned to the country of export whenever it is shown to the satisfaction of the Secretary of the Treasury, in a written application, that such importation does not involve willful negligence or fraud.

*Ante*, p. 656.

§ 109. IMPORTATION OF PROHIBITED ARTICLES; REGULATIONS; PROOF OF DEPOSIT OF COPIES BY COMPLAINANTS.—The Secretary of the Treasury and the Postmaster General are hereby empowered and required to make and enforce individually or jointly such rules and regulations as shall prevent the importation into the United States of articles prohibited importation by this title, and may require, as conditions precedent to exclusion of any work in which copyright is claimed, the copyright proprietor or any person claiming actual or potential injury by reason of actual or contemplated importations of copies of such work to file with the Post Office Department or the Treasury Department a certificate of the Register of Copyrights that the provisions of section 13 of this title have been fully complied with, and to give notice of such compliance to postmasters or to customs officers at the ports of entry in the United States in such form and accompanied by such exhibits as may be deemed necessary for the practical and efficient administration and enforcement of the provisions of sections 106 and 107 of this title.

§ 110. JURISDICTION OF ACTIONS UNDER LAWS.—All actions, suits, or proceedings arising under the copyright laws of the United States shall be originally cognizable by the district courts of the United States, the district court of any Territory, the District Court of the United States for the District of Columbia, the district courts of Alaska, Hawaii, and Puerto Rico.

§ 111. DISTRICT IN WHICH ACTIONS MAY BE BROUGHT.—Civil actions, suits, or proceedings arising under this title may be instituted in the district of which the defendant or his agent is an inhabitant, or in which he may be found.

§ 112. INJUNCTIONS; SERVICE AND ENFORCEMENT.—Any such court or judge thereof shall have power, upon complaint filed by any party aggrieved, to grant injunctions to prevent and restrain the violation of any right secured by this title, according to the course and principles of courts of equity, on such terms as said court or judge may deem reasonable. Any injunction that may be granted restraining and enjoining the doing of anything forbidden by this title may be served on the parties against whom such injunction may be granted anywhere in the United States, and shall be operative throughout the United States and be enforceable by proceedings in contempt or otherwise by any other court or judge possessing jurisdiction of the defendants.

§ 113. TRANSMISSION OF CERTIFIED COPIES OF PAPERS FOR ENFORCEMENT OF INJUNCTION BY OTHER COURT.—The clerk of the court, or judge granting the injunction, shall, when required so to do by the court hearing the application to enforce said injunction, transmit without delay to said court a certified copy of all the papers in said cause that are on file in his office.

§ 114. REVIEW OF ORDERS, JUDGMENTS, OR DECREES.—The orders, judgments, or decrees of any court mentioned in section 110 of this title arising under the copyright laws of the United States may be reviewed on appeal in the manner and to the extent now provided by law for the review of cases determined in said courts, respectively.

§ 115. LIMITATIONS OF CRIMINAL PROCEEDINGS.—No criminal proceeding shall be maintained under the provisions of this title unless the same is commenced within three years after the cause of action arose.

§ 116. COSTS; ATTORNEY'S FEES.—In all actions, suits, or proceedings under this title, except when brought by or against the United States or any officer thereof, full costs shall be allowed, and the court may award to the prevailing party a reasonable attorney's fee as part of the costs.

#### CHAPTER 3—COPYRIGHT OFFICE

§ 201. Copyright office; preservation of records.

§ 202. Register, assistant register, and subordinates.

§ 203. Same; deposit of moneys received; reports.

§ 204. Same; bond.

§ 205. Same; annual report.

§ 206. Seal of copyright office.

§ 207. Rules for registration of claims.

§ 208. Record books in copyright office.

§ 209. Certificates of registration; effect as evidence; receipt for copies deposited.

§ 210. Catalogs of copyright entries; effect as evidence.

§ 211. Same; distribution and sale; disposal of proceeds.

§ 212. Records and works deposited in copyright office open to public inspection; taking copies of entries.

§ 213. Disposition of articles deposited in office.

§ 214. Destruction of articles deposited in office remaining undisposed of; removal of by author or proprietor; manuscripts of unpublished works.

§ 215. Fees.

§ 201. COPYRIGHT OFFICE; PRESERVATION OF RECORDS.—All records and other things relating to copyrights required by law to be preserved shall be kept and preserved in the copyright office, Library of Congress, District of Columbia, and shall be under the control of the register of copyrights, who shall, under the direction and supervision of the Librarian of Congress, perform all the duties relating to the registration of copyrights.

§ 202. REGISTER, ASSISTANT REGISTER, AND SUBORDINATES.—There shall be appointed by the Librarian of Congress a Register of Copyrights, and one Assistant Register of Copyrights, who shall have authority during the absence of the Register of Copyrights to attach the copyright office seal to all papers issued from the said office and to sign such certificates and other papers as may be necessary. There shall also be appointed by the Librarian such subordinate assistants to the register as may from time to time be authorized by law.

§ 203. SAME; DEPOSIT OF MONEYS RECEIVED; REPORTS.—The Register of Copyrights shall make daily deposits in some bank in the District of Columbia, designated for this purpose by the Secretary of the Treasury as a national depository, of all moneys received to be applied as copyright fees, and shall make weekly deposits with the Secretary of the Treasury, in such manner as the latter shall direct, of all copyright fees actually applied under the provisions of this title, and annual deposits of sums received which it has not been possible to apply as copyright fees or to return to the remitters, and shall also make monthly reports to the Secretary of the Treasury and to the Librarian of Congress of the applied copyright fees for each calendar month, together with a statement of all remittances received, trust funds on hand, moneys refunded, and unapplied balances.

§ 204. **SAME; BOND.**—The Register of Copyrights shall give bond to the United States in the sum of \$20,000, in form to be approved by the General Counsel for the Department of the Treasury and with sureties satisfactory to the Secretary of the Treasury, for the faithful discharge of his duties.

§ 205. **SAME; ANNUAL REPORT.**—The Register of Copyrights shall make an annual report to the Librarian of Congress, to be printed in the annual report on the Library of Congress, of all copyright business for the previous fiscal year, including the number and kind of works which have been deposited in the copyright office during the fiscal year, under the provisions of this title.

§ 206. **SEAL OF COPYRIGHT OFFICE.**—The seal used in the copyright office on July 1, 1909, shall be the seal of the copyright office, and by it all papers issued from the copyright office requiring authentication shall be authenticated.

§ 207. **RULES FOR REGISTRATION OF CLAIMS.**—Subject to the approval of the Librarian of Congress, the Register of Copyrights shall be authorized to make rules and regulations for the registration of claims to copyright as provided by this title.

§ 208. **RECORD BOOKS IN COPYRIGHT OFFICE.**—The Register of Copyrights shall provide and keep such record books in the copyright office as are required to carry out the provisions of this title, and whenever deposit has been made in the copyright office of a copy of any work under the provisions of this title he shall make entry thereof.

§ 209. **CERTIFICATE OF REGISTRATION; EFFECT AS EVIDENCE; RECEIPT FOR COPIES DEPOSITED.**—In the case of each entry the person recorded as the claimant of the copyright shall be entitled to a certificate of registration under seal of the copyright office, to contain the name and address of said claimant, the name of the country of which the author of the work is a citizen or subject, and when an alien author domiciled in the United States at the time of said registration, then a statement of that fact, including his place of domicile, the name of the author (when the records of the copyright office shall show the same), the title of the work which is registered for which copyright is claimed, the date of the deposit of the copies of such work, the date of publication if the work has been reproduced in copies for sale, or publicly distributed, and such marks as to class designation and entry number as shall fully identify the entry. In the case of a book, the certificate shall also state the receipt of the affidavit, as provided by section 17 of this title, and the date of the completion of the printing, or the date of the publication of the book, as stated in the said affidavit. The Register of Copyrights shall prepare a printed form for the said certificate, to be filled out in each case as above provided for in the case of all registrations made after July 1, 1909, and in the case of all previous registrations so far as the copyright office record books shall show such facts, which certificate, sealed with the seal of the copyright office, shall, upon payment of the prescribed fee, be given to any person making application for the same. Said certificate shall be admitted in any court as prima facie evidence of the facts stated therein. In addition to such certificate the register of copyrights shall furnish, upon request, without additional fee, a receipt for the copies of the work deposited to complete the registration.

§ 210. **CATALOG OF COPYRIGHT ENTRIES; EFFECT AS EVIDENCE.**—The Register of Copyrights shall fully index all copyright registrations and assignments and shall print at periodic intervals a catalog of the titles of articles deposited and registered for copyright, together with suitable indexes, and at stated intervals shall print complete and indexed catalog for each class of copyright entries, and may

*Ante*, p. 657.

Printed form for  
certificate.

Receipt for copies  
deposited.

thereupon, if expedient, destroy the original manuscript catalog cards containing the titles included in such printed volumes and representing the entries made during such intervals. The current catalog of copyright entries and the index volumes herein provided for shall be admitted in any court as prima facie evidence of the facts stated therein as regards any copyright registration.

§ 211. SAME; DISTRIBUTION AND SALE; DISPOSAL OF PROCEEDS.—The said printed current catalogs as they are issued shall be promptly distributed by the copyright office to the collectors of customs of the United States and to the postmasters of all exchange offices of receipt of foreign mails, in accordance with revised lists of such collectors of customs and postmasters prepared by the Secretary of the Treasury and the Postmaster General, and they shall also be furnished in whole or in part to all parties desiring them, at a price to be determined by the register of copyrights for each part of the catalog, not exceeding \$10 for the complete yearly catalog of copyright entries. The consolidated catalogs and indexes shall also be supplied to all persons ordering them at such prices as may be determined to be reasonable, and all subscriptions for the catalogs shall be received by the Superintendent of Public Documents, who shall forward the said publications; and the moneys thus received shall be paid into the Treasury of the United States and accounted for under such laws and Treasury regulations as shall be in force at the time.

§ 212. RECORDS AND WORKS DEPOSITED IN COPYRIGHT OFFICE OPEN TO PUBLIC INSPECTION; TAKING COPIES OF ENTRIES.—The record books of the copyright office, together with the indexes to such record books, and all works deposited and retained in the copyright office, shall be open to public inspection; and copies may be taken of the copyright entries actually made in such record books, subject to such safeguards and regulations as shall be prescribed by the Register of Copyrights and approved by the Librarian of Congress.

§ 213. DISPOSITION OF ARTICLES DEPOSITED IN OFFICE.—Of the articles deposited in the copyright office under the provisions of the copyright laws of the United States, the Librarian of Congress shall determine what books and other articles shall be transferred to the permanent collections of the Library of Congress, including the law library, and what other books or articles shall be placed in the reserve collections of the Library of Congress for sale or exchange, or be transferred to other governmental libraries in the District of Columbia for use therein.

§ 214. DESTRUCTION OF ARTICLES DEPOSITED IN OFFICE REMAINING UNDISPOSED OF; REMOVAL OF BY AUTHOR OR PROPRIETOR; MANUSCRIPTS OF UNPUBLISHED WORKS.—Of any articles undisposed of as above provided, together with all titles and correspondence relating thereto, the Librarian of Congress and the Register of Copyrights jointly shall, at suitable intervals, determine what of these received during any period of years it is desirable or useful to preserve in the permanent files of the copyright office, and, after due notice as hereinafter provided, may within their discretion cause the remaining articles and other things to be destroyed: *Provided*, That there shall be printed in the Catalog of Copyright Entries from February to November, inclusive, a statement of the years of receipt of such articles and a notice to permit any author, copyright proprietor, or other lawful claimant to claim and remove before the expiration of the month of December of that year anything found which relates to any of his productions deposited or registered for copyright within the period of years stated, not reserved or disposed of as provided for in this title. No manuscript of an unpublished work shall be destroyed during its term of copyright without specific notice to the copyright proprietor of record, permitting him to claim and remove it.

Statement of years  
of receipt of articles.

Notice to copyright  
proprietor.



§ 215. FEES.—The Register of Copyrights shall receive, and the persons to whom the services designated are rendered shall pay, the following fees: For the registration of any work subject to copyright, deposited under the provisions of this title, \$2, which sum is to include a certificate of registration under seal: *Provided*, That in the case of any unpublished work registered under the provisions of section 12 of this title, the fee for registration with certificate shall be \$1, and in the case of a published photograph the fee shall be \$1 where a certificate is not desired. For every additional certificate of registration made, \$1. For recording and certifying any instrument of writing for the assignment of copyright, or any such license specified in section 1, subsection (e), of this title, or for any copy of such assignment or license, duly certified, \$2 for each copyright office record-book page or additional fraction thereof over one-half page. For recording the notice of user or acquiescence specified in section 1, subsection (e), of this title, \$1 for each notice of not more than five titles. For comparing any copy of an assignment with the record of such document in the copyright office and certifying the same under seal, \$2. For recording the renewal of copyright provided for in section 24 of this title, \$1. For recording the transfer of the proprietorship of copyrighted articles, 10 cents for each title of a book or other article, in addition to the fee prescribed for recording the instrument of assignment. For any requested search of copyright office records, indexes, or deposits, \$1 for each hour of time consumed in making such search: *Provided*, That only one registration at one fee shall be required in the case of several volumes of the same book deposited at the same time.

Registration.

*Ante*, p. 656.

Certification for assignment, etc.

*Ante*, p. 653.Recording of notice of user, etc.  
*Ante*, p. 653.Recording of renewal, etc.  
*Ante*, p. 659.

Search of records, etc.

Repeals.

SEC. 2. The following sections or parts thereof of the Revised Statutes and Statutes at Large covering provisions codified in this Act, insofar as such provisions appear in title 17, United States Code and supplements thereto, as shown by the appended table, are hereby repealed: *Provided*, That any rights or liabilities now existing under such repealed sections or parts thereof shall not be affected by such repeal:

Revised Statutes and Statutes at Large	Title 17, United States Code, section
Act Mar. 4, 1909, ch. 320, secs. 1, 64, 35 Stat. 1075, 1088	1
Act Mar. 4, 1909, ch. 320, sec. 2, 35 Stat. 1076	2
Act Mar. 4, 1909, ch. 320, sec. 3, 35 Stat. 1076	3
Act Mar. 4, 1909, ch. 320, sec. 4, 35 Stat. 1076	4
Acts Mar. 4, 1909, ch. 320, sec. 5, 35 Stat. 1076; Aug. 24, 1912, ch. 356, 37 Stat. 488; July 31, 1939, ch. 396, sec. 2, 53 Stat. 1142	5
Act Mar. 4, 1909, ch. 320, sec. 6, 35 Stat. 1077	6
Act Mar. 4, 1909, ch. 320, secs. 7, 64, 35 Stat. 1077, 1088	7
Acts Mar. 4, 1909, ch. 320, sec. 8, 35 Stat. 1077; Dec. 18, 1919, ch. 11, 41 Stat. 369; Sept. 25, 1941, ch. 421, 55 Stat. 732	8
Act Mar. 4, 1909, ch. 320, sec. 9, 35 Stat. 1077	9
Act Mar. 4, 1909, ch. 320, sec. 10, 35 Stat. 1078	10
Acts Mar. 4, 1909, ch. 320, sec. 11, 35 Stat. 1078; Aug. 24, 1912, ch. 356, 37 Stat. 488	11
Acts Mar. 4, 1909, ch. 320, sec. 12, 35 Stat. 1078; Mar. 28, 1914, ch. 47, sec. 1, 38 Stat. 311	12
Act Mar. 4, 1909, ch. 320, sec. 13, 35 Stat. 1078	13
Act Mar. 4, 1909, ch. 320, sec. 14, 35 Stat. 1078	14
Acts Mar. 4, 1909, ch. 320, sec. 15, 35 Stat. 1078; July 3, 1926, ch. 743, 44 Stat. 818	15
Act Mar. 4, 1909, ch. 320, sec. 16, 35 Stat. 1079	16
Act Mar. 4, 1909, ch. 320, sec. 17, 35 Stat. 1079	17
Acts June 18, 1874, ch. 301, sec. 1, 18 Stat. 78; Mar. 4, 1909, ch. 320, secs. 18, 64, 35 Stat. 1079, 1088	18
Act Mar. 4, 1909, ch. 320, sec. 19, 35 Stat. 1079	19
Act Mar. 4, 1909, ch. 320, sec. 20, 35 Stat. 1080	20
Acts Mar. 4, 1909, ch. 320, sec. 21, 35 Stat. 1080; Dec. 18, 1919, ch. 11, 41 Stat. 369	21

Revised Statutes and Statutes at Large—Continued

	Title 17, United States Code, section
Act Mar. 4, 1909, ch. 320, sec. 22, 35 Stat. 1080.....	22
Acts Mar. 4, 1909, ch. 320, sec. 23, 35 Stat. 1080; Mar. 15, 1940, ch. 57, 54 Stat. 51.....	23
R. S., sec. 4953; Act Mar. 4, 1909, ch. 320, secs. 24, 64, 35 Stat. 1080, 1088.....	24
Acts Mar. 4, 1909, ch. 320, sec. 25, 35 Stat. 1081; Aug. 24, 1912, ch. 356, 37 Stat. 489.....	25
Act Mar. 4, 1909, ch. 320, sec. 26, 35 Stat. 1082.....	26
Act Mar. 4, 1909, ch. 320, sec. 27, 35 Stat. 1082.....	27
Act Mar. 4, 1909, ch. 320, sec. 28, 35 Stat. 1082.....	28
Act Mar. 4, 1909, ch. 320, sec. 29, 35 Stat. 1082.....	29
Act Mar. 4, 1909, ch. 320, sec. 30, 35 Stat. 1082.....	30
Act Mar. 4, 1909, ch. 320, sec. 31, 35 Stat. 1082.....	31
Act Mar. 4, 1909, ch. 320, sec. 32, 35 Stat. 1083.....	32
Acts Mar. 4, 1909, ch. 320, sec. 33, 35 Stat. 1083; Apr. 11, 1940, ch. 81, 54 Stat. 106.....	33
Acts Mar. 4, 1909, ch. 320, sec. 34, 35 Stat. 1084; May 17, 1932, ch. 190, 47 Stat. 158; June 25, 1936, ch. 804, 49 Stat. 1921.....	34
Act Mar. 4, 1909, ch. 320, sec. 35, 35 Stat. 1084.....	35
Act Mar. 4, 1909, ch. 320, sec. 36, 35 Stat. 1084.....	36
Act Mar. 4, 1909, ch. 320, sec. 37, 35 Stat. 1084.....	37
Act Mar. 4, 1909, ch. 320, sec. 38, 35 Stat. 1084.....	38
Act, Mar. 4, 1909, ch. 320, sec. 39, 35 Stat. 1084.....	39
Act Mar. 4, 1909, ch. 320, sec. 40, 35 Stat. 1084.....	40
Act Mar. 4, 1909, ch. 320, sec. 41, 35 Stat. 1084.....	41
Act Mar. 4, 1909, ch. 320, sec. 42, 35 Stat. 1084.....	42
Act Mar. 4, 1909, ch. 320, sec. 43, 35 Stat. 1084.....	43
Act Mar. 4, 1909, ch. 320, sec. 44, 35 Stat. 1084.....	44
Act Mar. 4, 1909, ch. 320, sec. 45, 35 Stat. 1085.....	45
Act Mar. 4, 1909, ch. 320, sec. 46, 35 Stat. 1085.....	46
Act Mar. 4, 1909, ch. 320, sec. 47, 35 Stat. 1085.....	47
Acts Mar. 4, 1909, ch. 320, sec. 48, 35 Stat. 1085; Mar. 4, 1923, ch. 265, sec. 1, 42 Stat. 1488.....	48
Act Mar. 4, 1909, ch. 320, sec. 49, 35 Stat. 1085.....	49
Act Mar. 4, 1909, ch. 320, sec. 50, 35 Stat. 1085.....	50
Act Mar. 4, 1909, ch. 320, sec. 51, 35 Stat. 1085.....	51
Act Mar. 4, 1909, ch. 320, sec. 52, 35 Stat. 1085.....	52
Act Mar. 4, 1909, ch. 320, sec. 53, 35 Stat. 1085.....	53
Act Mar. 4, 1909, ch. 320, sec. 54, 35 Stat. 1086.....	54
Acts Mar. 4, 1909, ch. 320, secs. 55, 64, 35 Stat. 1086, 1088; Mar. 2, 1913, ch. 97, 37 Stat. 724.....	55
Act Mar. 4, 1909, ch. 320, sec. 56, 35 Stat. 1086.....	56
Acts Mar. 4, 1909, ch. 320, sec. 57, 35 Stat. 1086; May 23, 1928, ch. 704, sec. 1, 45 Stat. 713.....	57
Act Mar. 4, 1909, ch. 320, sec. 58, 35 Stat. 1086.....	58
Act Mar. 4, 1909, ch. 320, sec. 59, 35 Stat. 1087.....	59
Act Mar. 4, 1909, ch. 320, sec. 60, 35 Stat. 1087.....	60
Acts Mar. 4, 1909, ch. 320, sec. 61, 35 Stat. 1087; May 23, 1928, ch. 704, sec. 1, 45 Stat. 714.....	61
Act Mar. 4, 1909, ch. 320, sec. 62, 35 Stat. 1087.....	62
Act July 31, 1939, ch. 396, sec. 3, 53 Stat. 1142.....	64
Act July 31, 1939, ch. 396, sec. 4, 53 Stat. 1142.....	65
Act June 27, 1938, ch. 10, sec. 1 (last proviso), 52 Stat. 6.....	

Title 39, U. S. C., sec. 371 (last proviso)

Approved July 30, 1947.

[CHAPTER 392]

AN ACT

To codify and enact into positive law, title 9 of the United States Code, entitled  
"Arbitration".

July 30, 1947  
[H. R. 2084]  
[Public Law 282]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That title 9 of the United States Code, entitled "Arbitration", is codified and enacted into positive law and may be cited as "9 U. S. C., § —", as follows:

Title 9, U. S. Code.  
Codification and en-  
actment into positive  
law.

## TITLE 9—ARBITRATION

- § 1. Maritime transactions and commerce defined; exceptions to operation of title.
- § 2. Validity, irrevocability, and enforcement of agreements to arbitrate.
- § 3. Stay of proceedings where issue therein referable to arbitration.
- § 4. Failure to arbitrate under agreement; petition to United States court having jurisdiction for order to compel arbitration; notice and service thereof; hearing and determination.
- § 5. Appointment of arbitrators or umpire.
- § 6. Application heard as motion.
- § 7. Witnesses before arbitrators; fees; compelling attendance.
- § 8. Proceedings begun by libel in admiralty and seizure of vessel or property.
- § 9. Award of arbitrators; confirmation; jurisdiction; procedure.
- § 10. Same; vacation; grounds; rehearing.
- § 11. Same; modification or correction; grounds; order.
- § 12. Notice of motions to vacate or modify; service; stay of proceedings.
- § 13. Papers filed with order on motions; judgment; docketing; force and effect; enforcement.
- § 14. Contracts not affected.

“MARITIME TRANSACTIONS” AND “COMMERCE” DEFINED; EXCEPTIONS TO  
OPERATION OF TITLE

§ 1. “Maritime transactions”, as herein defined, means charter parties, bills of lading of water carriers, agreements relating to wharfage, supplies furnished vessels or repairs to vessels, collisions, or any other matters in foreign commerce which, if the subject of controversy, would be embraced within admiralty jurisdiction; “commerce”, as herein defined, means commerce among the several States or with foreign nations, or in any Territory of the United States or in the District of Columbia, or between any such Territory and another, or between any such Territory and any State or foreign nation, or between the District of Columbia and any State or Territory or foreign nation, but nothing herein contained shall apply to contracts of employment of seamen, railroad employees, or any other class of workers engaged in foreign or interstate commerce.

VALIDITY, IRREVOCABILITY, AND ENFORCEMENT OF AGREEMENTS TO  
ARBITRATE

§ 2. A written provision in any maritime transaction or a contract evidencing a transaction involving commerce to settle by arbitration a controversy thereafter arising out of such contract or transaction, or the refusal to perform the whole or any part thereof, or an agreement in writing to submit to arbitration an existing controversy arising out of such a contract, transaction, or refusal, shall be valid, irrevocable, and enforceable, save upon such grounds as exist at law or in equity for the revocation of any contract.

STAY OF PROCEEDINGS WHERE ISSUE THEREIN REFERABLE TO ARBITRATION

§ 3. If any suit or proceeding be brought in any of the courts of the United States upon any issue referable to arbitration under an agreement in writing for such arbitration, the court in which such suit is pending, upon being satisfied that the issue involved in such suit or proceeding is referable to arbitration under such an agreement, shall on application of one of the parties stay the trial of the action until such arbitration has been had in accordance with the terms of the agreement, providing the applicant for the stay is not in default in proceeding with such arbitration.

FAILURE TO ARBITRATE UNDER AGREEMENT; PETITION TO UNITED STATES  
COURT HAVING JURISDICTION FOR ORDER TO COMPEL ARBITRATION;  
NOTICE AND SERVICE THEREOF; HEARING AND DETERMINATION

§ 4. A party aggrieved by the alleged failure, neglect, or refusal of another to arbitrate under a written agreement for arbitration may petition any court of the United States which, save for such agreement, would have jurisdiction under the judicial code at law, in equity, or in admiralty of the subject matter of a suit arising out of the controversy between the parties, for an order directing that such arbitration proceed in the manner provided for in such agreement. Five days' notice in writing of such application shall be served upon the party in default. Service thereof shall be made in the manner provided by law for the service of summons in the jurisdiction in which the proceeding is brought. The court shall hear the parties, and upon being satisfied that the making of the agreement for arbitration or the failure to comply therewith is not in issue, the court shall make an order directing the parties to proceed to arbitration in accordance with the terms of the agreement. The hearing and proceedings, under such agreement, shall be within the district in which the petition for an order directing such arbitration is filed. If the making of the arbitration agreement or the failure, neglect, or refusal to perform the same be in issue, the court shall proceed summarily to the trial thereof. If no jury trial be demanded by the party alleged to be in default, or if the matter in dispute is within admiralty jurisdiction, the court shall hear and determine such issue. Where such an issue is raised, the party alleged to be in default may, except in cases of admiralty, on or before the return day of the notice of application, demand a jury trial of such issue, and upon such demand the court shall make an order referring the issue or issues to a jury in the manner provided by law for referring to a jury issues in an equity action, or may specially call a jury for that purpose. If the jury find that no agreement in writing for arbitration was made or that there is no default in proceeding thereunder, the proceeding shall be dismissed. If the jury find that an agreement for arbitration was made in writing and that there is a default in proceeding thereunder, the court shall make an order summarily directing the parties to proceed with the arbitration in accordance with the terms thereof.

APPOINTMENT OF ARBITRATORS OR UMPIRE

§ 5. If in the agreement provision be made for a method of naming or appointing an arbitrator or arbitrators or an umpire, such method shall be followed; but if no method be provided therein, or if a method be provided and any party thereto shall fail to avail himself of such method, or if for any other reason there shall be a lapse in the naming of an arbitrator or arbitrators or umpire, or in filling a vacancy, then upon the application of either party to the controversy the court shall designate and appoint an arbitrator or arbitrators or umpire, as the case may require, who shall act under the said agreement with the same force and effect as if he or they had been specifically named therein; and unless otherwise provided in the agreement the arbitration shall be by a single arbitrator.

APPLICATION HEARD AS MOTION

§ 6. Any application to the court hereunder shall be made and heard in the manner provided by law for the making and hearing of motions, except as otherwise herein expressly provided.

## WITNESSES BEFORE ARBITRATORS; FEES; COMPELLING ATTENDANCE

§ 7. The arbitrators selected either as prescribed in this title or otherwise, or a majority of them, may summon in writing any person to attend before them or any of them as a witness and in a proper case to bring with him or them any book, record, document, or paper which may be deemed material as evidence in the case. The fees for such attendance shall be the same as the fees of witnesses before masters of the United States courts. Said summons shall issue in the name of the arbitrator or arbitrators, or a majority of them, and shall be signed by the arbitrators, or a majority of them, and shall be directed to the said person and shall be served in the same manner as subpoenas to appear and testify before the court; if any person or persons so summoned to testify shall refuse or neglect to obey said summons, upon petition the United States court in and for the district in which such arbitrators, or a majority of them, are sitting may compel the attendance of such person or persons before said arbitrator or arbitrators, or punish said person or persons for contempt in the same manner provided on February 12, 1925, for securing the attendance of witnesses or their punishment for neglect or refusal to attend in the courts of the United States.

PROCEEDINGS BEGUN BY LIBEL IN ADMIRALTY AND SEIZURE OF VESSEL  
OR PROPERTY

§ 8. If the basis of jurisdiction be a cause of action otherwise justiciable in admiralty, then, notwithstanding anything herein to the contrary, the party claiming to be aggrieved may begin his proceeding hereunder by libel and seizure of the vessel or other property of the other party according to the usual course of admiralty proceedings, and the court shall then have jurisdiction to direct the parties to proceed with the arbitration and shall retain jurisdiction to enter its decree upon the award.

## AWARD OF ARBITRATORS; CONFIRMATION; JURISDICTION; PROCEDURE

§ 9. If the parties in their agreement have agreed that a judgment of the court shall be entered upon the award made pursuant to the arbitration, and shall specify the court, then at any time within one year after the award is made any party to the arbitration may apply to the court so specified for an order confirming the award, and thereupon the court must grant such an order unless the award is vacated, modified, or corrected as prescribed in sections 10 and 11 of this title. If no court is specified in the agreement of the parties, then such application may be made to the United States court in and for the district within which such award was made. Notice of the application shall be served upon the adverse party, and thereupon the court shall have jurisdiction of such party as though he had appeared generally in the proceeding. If the adverse party is a resident of the district within which the award was made, such service shall be made upon the adverse party or his attorney as prescribed by law for service of notice of motion in an action in the same court. If the adverse party shall be a nonresident, then the notice of the application shall be served by the marshal of any district within which the adverse party may be found in like manner as other process of the court.

## SAME; VACATION; GROUNDS; REHEARING

§ 10. In either of the following cases the United States court in and for the district wherein the award was made may make an order

vacating the award upon the application of any party to the arbitration—

(a) Where the award was procured by corruption, fraud, or undue means.

(b) Where there was evident partiality or corruption in the arbitrators, or either of them.

(c) Where the arbitrators were guilty of misconduct in refusing to postpone the hearing, upon sufficient cause shown, or in refusing to hear evidence pertinent and material to the controversy; or of any other misbehavior by which the rights of any party have been prejudiced.

(d) Where the arbitrators exceeded their powers, or so imperfectly executed them that a mutual, final, and definite award upon the subject matter submitted was not made.

(e) Where an award is vacated and the time within which the agreement required the award to be made has not expired the court may, in its discretion, direct a rehearing by the arbitrators.

SAME; MODIFICATION OR CORRECTION; GROUNDS; ORDER

§ 11. In either of the following cases the United States court in and for the district wherein the award was made may make an order modifying or correcting the award upon the application of any party to the arbitration—

(a) Where there was an evident material miscalculation of figures or an evident material mistake in the description of any person, thing, or property referred to in the award.

(b) Where the arbitrators have awarded upon a matter not submitted to them, unless it is a matter not affecting the merits of the decision upon the matter submitted.

(c) Where the award is imperfect in matter of form not affecting the merits of the controversy.

The order may modify and correct the award, so as to effect the intent thereof and promote justice between the parties.

NOTICE OF MOTIONS TO VACATE OR MODIFY; SERVICE;  
STAY OF PROCEEDINGS

§ 12. Notice of a motion to vacate, modify, or correct an award must be served upon the adverse party or his attorney within three months after the award is filed or delivered. If the adverse party is a resident of the district within which the award was made, such service shall be made upon the adverse party or his attorney as prescribed by law for service of notice of motion in an action in the same court. If the adverse party shall be a nonresident then the notice of the application shall be served by the marshal of any district within which the adverse party may be found in like manner as other process of the court. For the purposes of the motion any judge who might make an order to stay the proceedings in an action brought in the same court may make an order, to be served with the notice of motion, staying the proceedings of the adverse party to enforce the award.

PAPERS FILED WITH ORDER ON MOTIONS; JUDGMENT; DOCKETING;  
FORCE AND EFFECT; ENFORCEMENT

§ 13. The party moving for an order confirming, modifying, or correcting an award shall, at the time such order is filed with the clerk for the entry of judgment thereon, also file the following papers with the clerk:

(a) The agreement; the selection or appointment, if any, of an additional arbitrator or umpire; and each written extension of the time, if any, within which to make the award.

(b) The award.

(c) Each notice, affidavit, or other paper used upon an application to confirm, modify, or correct the award, and a copy of each order of the court upon such an application.

The judgment shall be docketed as if it was rendered in an action.

The judgment so entered shall have the same force and effect, in all respects, as, and be subject to all the provisions of law relating to, a judgment in an action; and it may be enforced as if it had been rendered in an action in the court in which it is entered.

#### CONTRACTS NOT AFFECTED

§ 14. This title shall not apply to contracts made prior to January 1, 1926.

Repeals.

SEC. 2. The sections or parts thereof of the Statutes at Large covering provisions codified in this Act, insofar as such provisions appear in title 9, United States Code and supplements thereto, as shown by the appended table, are hereby repealed: *Provided*, That any rights or liabilities now existing under such repealed sections or parts thereof shall not be affected by such repeal.

STATUTES AT LARGE		Title 9, United States Code, section
Feb. 12, 1925, ch. 213, sec. 1, 43 Stat. 883	-----	1
Feb. 12, 1925, ch. 213, sec. 2, 43 Stat. 883	-----	2
Feb. 12, 1925, ch. 213, sec. 3, 43 Stat. 883	-----	3
Feb. 12, 1925, ch. 213, sec. 4, 43 Stat. 883	-----	4
Feb. 12, 1925, ch. 213, sec. 5, 43 Stat. 884	-----	5
Feb. 12, 1925, ch. 213, sec. 6, 43 Stat. 884	-----	6
Feb. 12, 1925, ch. 213, sec. 7, 43 Stat. 884	-----	7
Feb. 12, 1925, ch. 213, sec. 8, 43 Stat. 884	-----	8
Feb. 12, 1925, ch. 213, sec. 9, 43 Stat. 885	-----	9
Feb. 12, 1925, ch. 213, sec. 10, 43 Stat. 885	-----	10
Feb. 12, 1925, ch. 213, sec. 11, 43 Stat. 885	-----	11
Feb. 12, 1925, ch. 213, sec. 12, 43 Stat. 885	-----	12
Feb. 12, 1925, ch. 213, sec. 13, 43 Stat. 886	-----	13
Feb. 12, 1925, ch. 213, sec. 14, 43 Stat. 886	-----	14
Feb. 12, 1925, ch. 213, sec. 15, 43 Stat. 886	-----	15

Approved July 30, 1947.

#### [CHAPTER 393]

#### AN ACT

July 30, 1947  
[H. R. 2054]  
[Public Law 283]

To amend the Act of April 14, 1930, to provide increased retired pay for certain members of the former Life Saving Service.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the compensation which any individual who served in the former Life Saving Service of the United States as a keeper or surfman received under the provisions of section 1 of the Act of April 14, 1930 (46 Stat. 164; U. S. C., 1940 edition, title 14, sec. 178a), shall be increased by 33½ per centum, beginning on the first day of the month following approval of this Act.

Approved July 30, 1947.

## [CHAPTER 394]

## AN ACT

To permit the Secretary of the Navy and the Secretary of War to supply utilities and related services to welfare activities, and persons whose businesses or residences are in the immediate vicinity of naval or military activities and require utilities or related services not otherwise obtainable locally, and for other purposes.

July 30, 1947  
[H. R. 3055]  
[Public Law 284]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy, the Secretary of War, or their designees within their respective establishments, are authorized to sell, under such regulations and at such prices as the Secretary concerned may prescribe, to welfare activities and private persons in the immediate vicinity of naval or military activities such utilities and related services as are not otherwise available from local, private, or public sources.

Navy and War  
Departments.  
Sale of utilities.

SEC. 2. The utilities and related services authorized to be sold under this Act are (1) electric power, (2) steam, (3) compressed air, (4) water, (5) sewage and garbage disposal service, (6) gas (natural, manufactured, or mixed), (7) ice, and (8) mechanical refrigeration: *Provided*, That any utility or related service provided and sold under the authority of this Act shall not be so provided unless it is determined by the Secretary concerned that the utility or related service is not available from a private or other public source, and that the furnishing thereof is in the public interest.

Restriction.

SEC. 3. As may be required by the local needs, the Secretary of the Navy and the Secretary of War, in carrying out the purposes of this Act, are authorized to effect minor expansions and extensions of the necessary distributing systems or facilities within the naval or military activity for those activities which it is determined may supply local services and utilities as described by section 2 herein.

Expansion, etc., of  
facilities.

SEC. 4. The Act of June 13, 1940 (54 Stat. 383, 34 U. S. C. 553), is hereby repealed.

Repeal.

SEC. 5. The authority granted in sections 1, 2, and 3 of this Act shall terminate at midnight on December 31, 1952.

Termination of au-  
thority.

Approved July 30, 1947.

## [CHAPTER 395]

## AN ACT

Granting the consent of Congress to Pennsylvania Power & Light Company to construct, maintain, and operate a dam in the Susquehanna River.

July 30, 1947  
[H. R. 3334]  
[Public Law 285]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to Pennsylvania Power & Light Company, its successors or assigns, to construct, maintain, and operate a dam in the Susquehanna River, at a point suitable to the interests of navigation, approximately one and one-half miles below the Sunbury Bridge Company toll bridge, in Upper Augusta Township, Northumberland County and Monroe Township, Snyder County, Pennsylvania: *Provided*, That the work shall not be commenced until the plans therefor have been submitted to and approved by the Chief of Engineers of the United States Army, and by the Secretary of War: *Provided further*, That this Act shall not be construed to authorize the use of such dam to develop water power or generate hydroelectric energy.

Susquehanna River.  
Construction, etc.,  
of dam.

Approval of plans.

Restriction.

Time limitation.

SEC. 2. The authority granted by this Act shall cease and be null and void, unless actual construction of the dam hereby authorized is commenced within two years and completed within five years from



Removal of interference.

Claims for damage.

the date of enactment of this Act: *Provided*, That from and after thirty days' notice from the Federal Power Commission, or other authorized agency of the United States, to said Pennsylvania Power & Light Company, its successors or assigns, that desirable water-power development will be interfered with by the existence of said dam, the said company, or its successors or assigns, shall alter the dam, without expense to the United States, so as to remove said interference and, upon failure to do so within a reasonable time, the authority hereby granted to construct, maintain, and operate said dam shall terminate and be at an end; and any grantee or licensee of the United States, proposing to develop a power project at or near said dam, shall have authority to remove, submerge, or utilize said dam, under such conditions as said Commission or other agency may determine, but such conditions shall not include compensation for the removal, submergence, or utilization of said dam: *And provided further*, That the Pennsylvania Power & Light Company, its successors or assigns, shall hold and save the United States free from all claims for damage which may be sustained by the dam herein authorized, or damage sustained by the appurtenances of the said dam by reason of operations by the United States for flood control, the preservation or improvement of navigation, or for other purposes.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved July 30, 1947.

#### [CHAPTER 396]

#### AN ACT

July 30, 1947  
[H. R. 3376]  
[Public Law 286]

To ratify and confirm Act 10 of the Session Laws of Hawaii, 1947, extending the time within which revenue bonds may be issued and delivered under chapter 118, Revised Laws of Hawaii, 1945.

Hawaii.  
Issuance of revenue bonds.

31 Stat. 141,  
48 U. S. C. § 493  
note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That Act 10 of the Session Laws of Hawaii, 1947, amending section 6095 of chapter 118, Revised Laws of Hawaii, 1945, as amended, so as to extend the time within which revenue bonds may be issued and delivered under said chapter 118, is hereby ratified and confirmed and revenue bonds may be issued under and pursuant to the provisions of said chapter 118, Revised Laws of Hawaii, 1945, as amended, and as further amended by said Act 10, without the approval of the President of the United States and without the incurring of an indebtedness within the meaning of the Hawaiian Organic Act, and said chapter 118, as amended, shall constitute full authority for the issuance of said bonds without reference to and independent of the Hawaiian Organic Act.

Approved July 30, 1947.

#### [CHAPTER 397]

#### AN ACT

July 30, 1947  
[H. R. 3587]  
[Public Law 287]

To provide for the establishment of a temporary Congressional Aviation Policy Board.

National aviation policy.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That it is the purpose of this Act to provide for the development of a national aviation policy adequate to meet the needs of the national defense, of the commerce of the United States, both interstate and foreign, and of the postal service, and to provide for the formulation and clarification of national policies relating to or affecting aviation, including policies relating to the maintenance of an adequate aeronautical manufacturing industry.

SEC. 2. There is hereby established a temporary Congressional Aviation Policy Board (hereinafter referred to as the "Board") which shall be composed of five Members of the Senate, not more than three of whom shall be members of the majority party, to be appointed by the President pro tempore of the Senate, and five Members of the House of Representatives, not more than three of whom shall be members of the majority party, to be appointed by the Speaker of the House of Representatives.

Temporary Congressional Aviation Policy Board.

SEC. 3. It shall be the duty of the Board to carry out the purposes of this Act, and, in so doing, to study the current and future needs of American aviation, including commercial air transportation and the utilization of aircraft by the armed services; the nature, type, and extent of aircraft and air transportation industries that are desirable or essential to our national security and welfare; methods of encouraging needed developments in the aviation and air transportation industry; and the improved organization and procedures of the Government that will assist it in handling aviation matters efficiently and in the public interest. The Board shall report to the Congress, together with such recommendations as it deems desirable, on or before March 1, 1948.

Study of aviation needs.

SEC. 4. (a) The Board shall select a chairman and a vice chairman from among its members. A vacancy on the Board shall be filled in the same manner as the original selection.

Report and recommendations to Congress.

Chairman and vice chairman.

(b) The Board is authorized to employ such experts, assistants, and other employees as in its judgment may be necessary for the performance of its duties. The Board is authorized to utilize the services, information, facilities, and personnel of the various departments and agencies of the Government to the extent that such services, information, facilities, and personnel, in the opinion of such departments and agencies, can be furnished without undue interference with the performance of the work and duties of such departments and agencies.

Employment of experts, etc.

(c) The Board shall have the power to hold hearings and to require by subpoena or otherwise the attendance of such witnesses, the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable.

Hearings, etc.

(d) For the purpose of carrying out the provisions of this Act the Board may seek information from such sources and conduct its studies and investigations at such places and in such manner as it deems advisable in the interest of a correct ascertainment of the facts.

Studies and investigations.

SEC. 5. There is hereby authorized to be appropriated such sums, not to exceed \$50,000, as may be necessary to enable the Board to carry out its functions under this Act.

Appropriation authorized.  
Ante, p. 611.

SEC. 6. The members of the Board, and employees thereof, shall be allowed all expenses necessary for travel and subsistence incurred while so engaged in the activities of the Board.

Travel expenses.

Approved July 30, 1947.

## [CHAPTER 398]

### AN ACT

To authorize the Veterans' Administration to acquire certain land as a site for the proposed Veterans' Administration facility at Clarksburg, West Virginia, and for other purposes.

July 30, 1947  
[H. R. 3739]  
[Public Law 288]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Veterans' Affairs is authorized and directed (1) to acquire as a site for the proposed Veterans' Administration facility at Clarksburg, West Virginia, the tract of land in Harrison County, West*

Veterans' Administration.  
Acquisition of site at Clarksburg, W. Va.

Lease of land for  
public park.

Granting of right-  
of-way.

Construction costs.

Virginia, situated between the West Fork River and the line of the Clarksburg and Western Electric Railway and known as the Maxwell estate; (2) to lease to the city of Clarksburg, West Virginia, at a nominal consideration, so much of the westerly portion of such tract as is not presently needed for the purposes of such facility, upon condition that such portion be maintained by the city of Clarksburg as a public park until such time as it may be needed for the purposes of such facility, and upon such further terms and conditions as may be agreed upon by the Administrator and such city; (3) to grant to the State of West Virginia a right-of-way across such tract of land for a public highway connecting United States Highway Numbered 19 with the highway known as the Clarksburg-Mount Clare Road; and (4) to enter into an agreement with the State Road Commission of the State of West Virginia to bear not to exceed 35 per centum of the costs of construction of such public highway and any necessary bridges thereon.

Approved July 30, 1947.

#### [CHAPTER 404]

#### AN ACT

July 30, 1947  
[S. 364]

[Public Law 239]

To expedite the disposition of Government surplus airports, airport facilities, and equipment and to assure their disposition in such manner as will best encourage and foster the development of civilian aviation and preserve for national defense purposes a strong, efficient, and properly maintained nationwide system of public airports, and for other purposes.

Surplus Property  
Act of 1944, amend-  
ments.  
58 Stat. 771.  
50 U. S. C. app.  
§ 1622 (c).  
Harbor or port ter-  
minal.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subsection (c) of section 13 of the Surplus Property Act of 1944 (58 Stat. 765), as amended, is amended to read as follows:

“(c) No harbor or port terminal, including necessary operating equipment, shall be otherwise disposed of until it has first been offered, under regulations to be prescribed by the Administrator, for sale or lease to the State, political subdivision thereof, and any municipality, in which it is situated, and to all municipalities in the vicinity thereof.”

58 Stat. 770.  
50 U. S. C. app.  
§ 1622.  
Conveyance of prop-  
erty for development  
of public airport.

SEC. 2. Section 13 of the Surplus Property Act of 1944 (58 Stat. 765), as amended, is hereby amended by adding a new subsection (g) reading as follows:

“(g) (1) Notwithstanding any other provision of this Act, any disposal agency designated pursuant to this Act may, with the approval of the Administrator, convey or dispose of to any State, political subdivision, municipality, or tax-supported institution, without monetary consideration to the United States, but subject to the terms, conditions, reservations, and restrictions hereinafter provided for, all of the right, title, and interest of the United States in and to any surplus real or personal property (exclusive of property the highest and best use of which is determined by the Administrator to be industrial and which shall be so classified for disposal without regard to the provisions of this subsection) which, in the determination of the Administrator of Civil Aeronautics, is essential, suitable, or desirable for the development, improvement, operation, or maintenance of a public airport as defined in the Federal Airport Act (60 Stat. 170) or reasonably necessary to fulfill the immediate and foreseeable future requirements of the grantee for the development, improvement, operation, or maintenance of a public airport, including property needed to develop sources of revenue from nonaviation businesses at a public airport.

49 U. S. C. §§ 1101-  
1119.

Conditions of dis-  
posal.

“(2) Except as provided in paragraph (3) hereof, all property disposed of under the authority of this subsection shall be disposed of on and subject to the following terms, conditions, reservations, and restrictions:

“(A) No property disposed of under the authority of this subsection shall be used, leased, sold, salvaged, or disposed of by the grantee or transferee for other than airport purposes without the written consent of the Administrator of Civil Aeronautics, which consent shall be granted only if the Administrator of Civil Aeronautics determines that the property can be used, leased, sold, salvaged, or disposed of for other than airport purposes without materially and adversely affecting the development, improvement, operation, or maintenance of the airport at which such property is located: *Provided*, That no structures disposed of hereunder shall be used as an industrial plant, factory, or similar facility within the meaning of section 23 of this Act, unless the public agency receiving title to such structures shall pay to the United States such sum as the Administrator shall determine to be a fair consideration for the removal of the restriction imposed by this proviso.

Disposal for other than airport purposes.

58 Stat. 777.  
50 U. S. C. app.  
§ 1632.

“(B) All property transferred for airport purposes shall be used and maintained for the use and benefit of the public, without unjust discrimination.

Property transferred for airport purposes.

“(C) No exclusive right for the use of the airport at which the property disposed of is located shall be vested (either directly or indirectly) in any person or persons to the exclusion of others in the same class. For the purpose of this condition, an exclusive right is defined to mean—

Exclusive right, restriction.

“(1) any exclusive right to use the airport for conducting any particular aeronautical activity requiring operation of aircraft;

“(2) any exclusive right to engage in the sale or supplying of aircraft, aircraft accessories, equipment, or supplies (excluding the sale of gasoline and oil), or aircraft services necessary for the operation of aircraft (including the maintenance and repair of aircraft, aircraft engines, propellers, and appliances).

“(D) The grantee shall, insofar as it is within its powers, adequately clear and protect the aerial approaches to the airport by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.

Protection of aerial approaches.

“(E) During any national emergency declared by the President or by the Congress, the United States shall have the right to make exclusive or nonexclusive use and have exclusive or nonexclusive control and possession, without charge, of the airport at which the surplus property is located or used, or of such portion thereof as it may desire: *Provided, however*, That the United States shall be responsible for the entire cost of maintaining such part of the airport as it may use exclusively, or over which it may have exclusive possession and control, during the period of such use, possession, or control, and shall be obligated to contribute a reasonable share, commensurate with the use made by it, of the cost of maintenance of such property as it may use nonexclusively or over which it may have nonexclusive control and possession: *Provided further*, That the United States shall pay a fair rental for its use, control, or possession, exclusively or nonexclusively, of any improvements to the airport made without United States aid.

Control, etc., by U. S. during emergency.

“(F) The United States shall at all times have the right to make nonexclusive use of the landing area of the airport at which the surplus property is located or used, without charge: *Provided, however*, That such use may be limited as may be determined at any time by the Administrator of Civil Aeronautics to be necessary to prevent undue interference with use by other authorized aircraft: *Provided further*, That the United States shall be obligated to pay for damages caused by such use, or if its use of the landing area is substantial, to contribute

Use of landing area.

Damages; maintenance.

Release of U. S.  
from liability.

60 Stat. 179.  
49 U. S. C. § 1116.

Reversion to U. S.

Omission or inclu-  
sion of terms.

Responsibility of  
Administrator of Civil  
Aeronautics.

58 Stat. 774.  
50 U. S. C. app.  
§ 1627 (e).

58 Stat. 770.  
50 U. S. C. app.  
§ 1621.

a reasonable share of the cost of maintaining and operating the landing area, commensurate with the use made by it.

“(G) Any public agency accepting a conveyance or transfer of surplus property under the provisions of this subsection shall release the United States from any and all liability it may be under for restoration or other damages under any lease or other agreement covering the use by the United States of any airport, or part thereof, owned, controlled, or operated by the public agency upon which, adjacent to which, or in connection with which, the surplus property was located or used: *Provided*, That no such release shall be construed as depriving the public agency of any right it may otherwise have to receive reimbursement under section 17 of the Federal Airport Act for the necessary rehabilitation or repair of public airports heretofore or hereafter substantially damaged by any Federal agency.

“(H) In the event that any of the terms, conditions, reservations, and restrictions upon or subject to which the property is disposed of is not met, observed, or complied with, all of the property so disposed of or any portion thereof, shall, at the option of the United States, revert to the United States in its then existing condition.

“(3) In making any disposition of surplus property under this subsection (g), the disposal agency is authorized, upon the request of the Administrator of Civil Aeronautics, the Secretary of War, or the Secretary of the Navy, to omit from the instruments of disposal any of the terms, conditions, reservations, and restrictions required by paragraph (2) hereof, and to include any additional terms, conditions, reservations, and restrictions, if the Administrator of Civil Aeronautics, the Secretary of War, or the Secretary of the Navy determines that such omission or inclusion is necessary to protect or advance the interests of the United States in civil aviation or for national defense.

“(4) The Administrator of Civil Aeronautics shall have the sole responsibility for determining and enforcing compliance with the terms, conditions, reservations, and restrictions upon or subject to which surplus property is disposed of pursuant to this subsection.

“(5) All surplus property within the purview of this subsection which is not disposed of pursuant hereto shall be disposed of as provided elsewhere in this Act or other applicable Federal Statute.

“(6) Notwithstanding the provisions of subsection (f) of this section and subsection (e) of section 18, the disposal of surplus property under this subsection, which is determined by the Administrator to be available for the purposes enumerated in this subsection, shall be given priority immediately following transfers to other Government agencies under section 12.”

Approved July 30, 1947.

#### [CHAPTER 405]

#### AN ACT

July 31, 1947  
[S. 338]

[Public Law 290]

To amend the Plant Quarantine Act approved August 20, 1912, as amended, by adding a new proviso to section 1.

37 Stat. 315.  
7 U. S. C. § 154.

Entry of nursery  
stock from foreign  
countries.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Plant Quarantine Act approved August 20, 1912, as amended, be amended by substituting a colon for the period at the end of section 1 and by adding thereto a new proviso as follows:*

*“And provided further, That the Secretary of Agriculture is authorized to limit entry of nursery stock from foreign countries under such rules and regulations as he may deem necessary, including the*

requirement, if necessary, that such nursery stock be grown under postentry quarantine by or under the supervision of the United States Department of Agriculture for the purpose of determining whether imported nursery stock may be infested or infected with plant pests not discernible by port-of-entry inspection and provided that if imported nursery stock is found to be infested or infected with such plant pests, he is authorized to prescribe remedial measures as he may deem necessary to prevent the spread thereof."

Approved July 31, 1947.

[CHAPTER 406]

AN ACT

To provide for the disposal of materials on the public lands of the United States.

July 31, 1947  
[S. 1185]

[Public Law 291]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior, under such rules and regulations as he may prescribe, may dispose of materials including but not limited to sand, stone, gravel, yucca, manzanita, mesquite, cactus, common clay, and timber or other forest products, on public lands of the United States if the disposal of such materials (1) is not otherwise expressly authorized by law, including the United States mining laws, (2) is not expressly prohibited by laws of the United States, and (3) would not be detrimental to the public interest. Such materials may be disposed of only in accordance with the provisions of this Act and upon the payment of adequate compensation therefor, to be determined by the Secretary: *Provided, however,* That, to the extent not otherwise authorized by law, the Secretary is authorized in his discretion to permit any Federal, State, or Territorial agency, unit or subdivision, including municipalities, or any person, or any association or corporation not organized for profit, to take and remove, without charge, materials and resources subject to this Act, for use other than for commercial or industrial purposes or resale. Where the lands have been withdrawn in aid of a function of a Federal department or agency other than the Department of the Interior or of a State, Territory, county, municipality, water district, or other local governmental subdivision or agency, the Secretary of the Interior may make disposals under this Act only with the consent of such Federal department or agency or of such State, Territory, or local governmental unit. Nothing in this Act shall be construed to apply to lands in any national forest, national park, or national monument or to any Indian lands, or lands set aside or held for the use or benefit of Indians, including lands over which jurisdiction has been transferred to the Department of the Interior by Executive order for the use of Indians.

Public lands.  
Disposal of certain  
materials.

Removal of materials without charge.

Nonapplicability.

SEC. 2. Where the appraised value of the material exceeds \$1,000, it shall be disposed of by the Secretary to the highest responsible qualified bidder by competitive bidding and publication of notice of the proposed disposal once each week for a period of four consecutive weeks in a newspaper of general circulation in the county in which the material is located. Where the appraised value of the material is \$1,000 or less, it may be disposed of by the Secretary upon such notice and in such manner as he may prescribe.

Appraisal value in  
excess of \$1,000.

Appraisal value of  
\$1,000 or less.

SEC. 3. All moneys received from the disposal of materials under this Act shall be disposed of in the same manner as moneys received from the sale of public lands.

Approved July 31, 1947.

## [CHAPTER 407]

## AN ACT

July 31, 1947

[S. 1418]

[Public Law 292]

Interstate compact.  
Control of pollution  
of waters of New  
England States.

49 Stat. 1490.  
33 U. S. C. § 567a.

Granting the consent and approval of Congress to an interstate compact relating to control and reduction of pollution in the waters of the New England States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent and approval of Congress is hereby given to an interstate compact relating to the control and reduction of pollution of the streams and waters of the New England States negotiated and entered into or to be entered into under authority of Public Resolution 104, Seventy-fourth Congress, approved June 8, 1936, and now ratified by the States of Connecticut, Massachusetts, and Rhode Island, which compact reads as follows:

### "NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL COMPACT

"Whereas, The growth of population and the development of the territory of the New England states has resulted in serious pollution of certain interstate streams, ponds and lakes, and of tidal waters ebbing and flowing past the boundaries of two or more states; and

"Whereas, Such pollution constitutes a menace to the health, welfare and economic prosperity of the people living in such area; and

"Whereas, The abatement of existing pollution and the control of future pollution in the interstate waters of the New England area are of prime importance to the people and can best be accomplished through the cooperation of the New England states in the establishment of an interstate agency to work with the states in the field of pollution abatement;

"Now, therefore, The states of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont do agree and are bound as follows:

#### "ARTICLE I

Applicability of provisions.

"It is agreed between the signatory states that the provisions of this compact shall apply to streams, ponds and lakes which are contiguous to two or more signatory states or which flow through two or more signatory states or which have a tributary contiguous to two or more signatory states or flowing through two or more signatory states, and also shall apply to tidal waters ebbing and flowing past the boundaries of two states.

#### "ARTICLE II

New England Interstate Water Pollution Control Commission.

"There is hereby created the New England Interstate Water Pollution Control Commission (hereinafter referred to as the commission) which shall be a body corporate and politic, having the powers, duties and jurisdiction herein enumerated and such other and additional powers as shall be conferred upon it by the act or acts of a signatory state concurred in by the others.

#### "ARTICLE III

Membership.

"The commission shall consist of five commissioners from each signatory state, each of whom shall be a resident voter of the state from which he is appointed. The commissioners shall be chosen in the manner and for the terms provided by law of the state from which they shall be appointed. For each state there shall be on the commission a member representing the state health department, a member representing the state water pollution control board (if such exists), and, except where a state in its enabling legislation decides that the best

interests of the state will be otherwise served, a member representing municipal interests, a member representing industrial interests, and a member representing an agency acting for fisheries or conservation.

#### “ARTICLE IV

“The commission shall annually elect from its members a chairman and vice chairman and shall appoint and at its pleasure remove or discharge such officers. It may appoint and employ a secretary who shall be a professional engineer versed in water pollution and may employ such stenographic or clerical employees as shall be necessary, and at its pleasure remove or discharge such employees. It shall adopt a seal and suitable by-laws and shall promulgate rules and regulations for its management and control. It may maintain an office for the transaction of its business and may meet at any time or place within the signatory states. Meetings shall be held at least twice each year. A majority of the members shall constitute a quorum for the transaction of business, but no action of the commission imposing any obligation on any signatory state or on any municipal agency or subdivision thereof or on any person, firm or corporation therein shall be binding unless a majority of the members from such signatory state shall have voted in favor thereof. Where meetings are planned to discuss matters relevant to problems of water pollution control affecting only certain of the signatory states, the commission may vote to authorize special meetings of the commissioners of the states especially concerned. The commission shall keep accurate accounts of all receipts and disbursements and shall make an annual report to the governor and the legislature of each signatory state setting forth in detail the operations and transactions conducted by it pursuant to this compact, and shall make recommendations for any legislative action deemed by it advisable, including amendments to the statutes of the signatory states which may be necessary to carry out the intent and purpose of this compact. The commission shall not incur any obligations for salaries, office, administrative, traveling or other expenses prior to the allotment of funds by the signatory states adequate to meet the same; nor shall the commission pledge the credit of any of the signatory states. Each signatory state reserves the right to provide hereafter by law for the examination and audit of the accounts of the commission. The commission shall appoint a treasurer who may be a member of the commission, and disbursements by the commission shall be valid only when authorized by the commission and when vouchers therefor have been signed by the secretary and countersigned by the treasurer. The secretary shall be custodian of the records of the commission with authority to attest to and certify such records or copies thereof.

Chairman and vice chairman.

Seal and by-laws.

Meetings.

Quorum.

Reports and recommendations.

Audit of accounts.

#### “ARTICLE V

“It is recognized, owing to such variable factors as location, size, character and flow and the many varied uses of the waters subject to the terms of this compact, that no single standard of sewage and waste treatment and no single standard of quality of receiving waters is practical and that the degree of treatment of sewage and industrial wastes should take into account the classification of the receiving waters according to present and proposed highest use, such as for drinking water supply, industrial and agricultural uses, bathing and other recreational purposes, maintenance and propagation of fish life, shellfish culture, navigation and disposal of wastes.

Sewage and waste treatment.

“The commission shall establish reasonable physical, chemical and bacteriological standards of water quality satisfactory for various

Classification of interstate waters.



classifications of use. It is agreed that each of the signatory states through appropriate agencies will prepare a classification of its interstate waters in entirety or by portions according to present and proposed highest use and for this purpose technical experts employed by state departments of health and state water pollution control agencies are authorized to confer on questions relating to classification of interstate waters affecting two or more states. Each signatory state agrees to submit its classification of its interstate waters to the commission for approval. It is agreed that after such approval all signatory states through their appropriate state health departments and water pollution control agencies will work to establish programs of treatment of sewage and industrial wastes which will meet standards established by the commission for classified waters. The commission may from time to time make such changes in definitions of classifications and in standards as may be required by changed conditions or as may be necessary for uniformity.

#### “ARTICLE VI

Pledge of signatory States.

“Each of the signatory states pledges to provide for the abatement of existing pollution and for the control of future pollution of interstate inland and tidal waters as described in Article I, and to put and maintain the waters thereof in a satisfactory condition consistent with the highest classified use of each body of water.

#### “ARTICLE VII

Enactment of legislation by signatory States, etc.

“Nothing in this compact shall be construed to repeal or prevent the enactment of any legislation or prevent the enforcement of any requirement by any signatory state imposing any additional condition or restriction to further lessen the pollution of waters within its jurisdiction. Nothing herein contained shall affect or abate any action now pending brought by any governmental board or body created by or existing under any of the signatory states.

#### “ARTICLE VIII

State appropriations.

“The signatory states agree to appropriate for the salaries, office, administrative, travel and other expenses such sum or sums as shall be recommended by the commission. The commonwealth of Massachusetts obligates itself only to the extent of sixty-five hundred dollars in any one year, the state of Connecticut only to the extent of three thousand dollars in any one year, the state of Rhode Island only to the extent of fifteen hundred dollars in any one year, and the states of New Hampshire, Maine, and Vermont each only to the extent of one thousand dollars in any one year.

#### “ARTICLE IX

Separability of provisions.

“Should any part of this compact be held to be contrary to the constitution of any signatory state or of the United States, all other parts thereof shall continue to be in full force and effect.

#### “ARTICLE X

Consultations with State agencies of New York.

“The commission is authorized to discuss with appropriate state agencies in New York state questions of pollution of waters which flow into the New England area from New York state or vice versa and to further the establishment of agreements on pollution abatement to promote the interests of the New York and New England areas.

Entry of New York into compact.

“Whenever the commission by majority vote of the members of each signatory state shall have given its approval and the state of New

York shall have taken the necessary action to do so, the state of New York shall be a party to this compact for the purpose of controlling and abating the pollution of waterways common to New York and the New England states signatory to this compact but excluding the waters under the jurisdiction of the Interstate Sanitation Commission (New York, New Jersey, and Connecticut).

“ARTICLE XI

“This compact shall become effective immediately upon the adoption of the compact by any two contiguous states of New England but only in so far as applies to those states and upon approval by Federal law. Thereafter upon ratification by other contiguous states, it shall also become effective as to those states.”

SEC. 2. Without further submission of the compact, the consent of Congress is given to the States of Maine, New Hampshire, and Vermont, and to the State of New York pursuant to article X of the compact, to enter into the compact as a signatory State and party thereto.

SEC. 3. Nothing contained in this Act or in the compact herein approved shall be construed as impairing or affecting the sovereignty of the United States or any of its rights or jurisdiction in and over the area or waters which are the subject of the compact.

SEC. 4. The right to alter, amend, or repeal this Act is expressly reserved.

Approved July 31, 1947.

Effectivity.

Consent of Congress to designated States.

Rights, etc., of U. S.

[CHAPTER 408]

JOINT RESOLUTION

Amending Public Law 27, Eightieth Congress.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 2 of Public Law 27, Eightieth Congress, approved March 31, 1947, is hereby amended to read as follows:

“SEC. 2. The authority granted by this resolution shall remain in force only until April 1, 1948: *Provided*, That nothing herein contained shall be construed to authorize the Commandant, United States Coast Guard, to grant waivers for the employment of alien seamen except for those who served between December 7, 1941, and September 2, 1945, aboard vessels operated by the War Shipping Administration, the United States Maritime Commission, or the Army Transport Service.”

Approved July 31, 1947.

July 31, 1947  
[H. J. Res. 245]  
[Public Law 293]

U. S. Coast Guard.  
*Ante*, p. 33.

Time limitation.  
Waivers for employment of alien seamen.

[CHAPTER 409]

AN ACT

For the relief of Willie P. Goodwin, J. M. Thorud, and W. H. Stokley.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Postmaster General is authorized and directed to issue per diem orders retroactively to cover per diem payments that have been made or will be made to postal employees detailed to postal units, camps, posts, or stations handling military mail, or to civilian plants devoted to war production at rates not to exceed that provided and authorized by the Act of December 7, 1945 (59 Stat. 603).

SEC. 2. In the audit and settlement of the accounts of postmasters and other designated disbursing officers of the Post Office Department

July 31, 1947  
[H. R. 1648]  
[Public Law 294]

Postal service.  
Per diem payments to designated employees.

39 U. S. C. § 133  
note.  
Credit in accounts.

and postal service credit shall be allowed for all payments made under authority of per diem orders issued by the Postmaster General pursuant to section 1 of this Act.

Approved July 31, 1947.

[CHAPTER 410]

AN ACT

July 31, 1947  
[H. R. 2005]  
[Public Law 295]

To amend the Act of April 21, 1932 (47 Stat. 88), entitled "An Act to provide for the leasing of the segregated coal and asphalt deposits of the Choctaw and Chickasaw Indian Nations, in Oklahoma, and for an extension of time within which purchasers of such deposits may complete payments".

Choctaw-Chickasaw  
Nations.  
Coal and asphalt  
deposits.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act of April 21, 1932 (47 Stat. 88), is hereby amended to provide that leases or renewal leases may be made for any term not to exceed fifteen years: *Provided*, That nothing herein contained shall operate to prevent the sale pursuant to law of the segregated coal or asphalt deposits leased or unleased of the Choctaw-Chickasaw Nations at any time, but any such sale shall be subject to any leases of such deposits heretofore or hereafter made pursuant to law.

Approved July 31, 1947.

[CHAPTER 411]

AN ACT

July 31, 1947  
[H. R. 4002]  
[Public Law 296]

Making appropriations for civil functions administered by the War Department for the fiscal year ending June 30, 1948, and for other purposes.

War Department  
Civil Appropriation  
Act, 1948.  
*Anne*, pp. 71, 118,  
187, 188, 245, 361, 608,  
609, 625; *post*, p. 779.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1948, for civil functions administered by the War Department, and for other purposes, namely:

CIVIL FUNCTIONS OF THE WAR DEPARTMENT

QUARTERMASTER CORPS

CEMETERIAL EXPENSES

Maintenance of national cemeteries.

Headstones.

17 Stat. 545; 20 Stat. 281; 45 Stat. 1307; 54 Stat. 142.

Confederate cemeteries.

Cemeterial expenses: For maintaining and improving national cemeteries, including fuel for and pay of superintendents and the superintendent at Mexico City, and other employees; purchase of grave sites; maintenance of the Arlington Memorial Amphitheater, chapel, and grounds in the Arlington National Cemetery, and that portion of Congressional Cemetery to which the United States has title and the graves of those buried therein, including Confederate graves, and the burial site of Pushmataha, a Choctaw Indian chief; repair to roadways but not to more than a single approach road to any national cemetery; for headstones or markers for unmarked graves of soldiers, sailors, and marines under the Acts approved March 3, 1873, February 3, 1879, February 26, 1929, and April 18, 1940 (24 U. S. C. 279-280b), and civilians interred in post cemeteries; for maintenance of monuments, tablets, roads, fences, and so forth, made and constructed by the United States in Cuba and China to mark the places where American soldiers fell; maintenance of the Confederate Mound in Oakwood Cemetery at Chicago, the Confederate Stockade Cemetery at Johnstons Island, the Confederate burial plats owned by the United States in Confederate Cemetery at North Alton, the

Confederate Cemetery, Camp Chase, at Columbus, the Confederate Cemetery at Point Lookout, and the Confederate Cemetery at Rock Island; and for maintenance of graves used by the Army for burials in commercial cemeteries; \$4,190,387: *Provided*, That no railroad shall be permitted upon any right-of-way which may have been acquired by the United States leading to a national cemetery, or to encroach upon any roads or walks constructed thereon and maintained by the United States: *Provided further*, That no part of this appropriation shall be used for repairing any roadway not owned by the United States within the corporate limits of any city, town, or village: *Provided further*, That upon completion of repairs to the approach road to the Natchez, Mississippi, National Cemetery, provided for in this Act, the Secretary of War is authorized to convey title thereto to the State of Mississippi or any county, municipality, or proper agency thereof in accordance with the provisions of section 1 of the War Department Civil Appropriation Act, 1942 (55 Stat. 191).

Commercial cemeteries.  
Encroachment by railroad.

Roadway repairs.

Conveyance of title.

24 U. S. C. § 289.

#### CEMETERIAL EXPENSES, NO YEAR

Cemeterial expenses (Act of May 16, 1946): For all expenses necessary, not otherwise provided for, to enable the Secretary of War to carry out his responsibilities in connection with the evacuation and return to their homeland of the remains of members of the armed forces and certain citizens and employees of the United States as authorized by the Act of May 16, 1946, Public Law Numbered 383, including burial expenses or payment of allowances in lieu thereof; personal services at the seat of government and elsewhere; construction of buildings and facilities; acquisition of real estate or interests therein; purchase, operation, maintenance, and repair of passenger automobiles; printing and binding; settlement of claims incident to and resulting from activities pursuant to said Act in accordance with the Act approved July 3, 1943 (31 U. S. C. 223b); and communication and other services and supplies at the seat of government or elsewhere; \$60,000,000, to remain available until expended: *Provided*, That the Secretary of War is authorized to furnish, without reimbursement, supplies and equipment in excess of the needs of the Military Establishment and to make available existing facilities of the Military Establishment to the fullest extent possible for the accomplishment of the objects provided for herein: *Provided further*, That expenditures from this appropriation may be made when necessary to carry out its purpose without regard to sections 355, 1136, 3648, 3709, and 3734, Revised Statutes, as amended, or civil-service and classification laws.

*Ante*, p. 71; *post*, p. 779.  
60 Stat. 182.  
50 U. S. C. app. §§ 1811-1816.

*Supra*.

57 Stat. 372.  
31 U. S. C. §§ 215-217 notes, 223b, 223c.

50 U. S. C. § 175; 10 U. S. C. § 1339; 31 U. S. C. § 529; 41 U. S. C. § 5; 40 U. S. C. §§ 259, 267.

#### SIGNAL CORPS

##### ALASKA COMMUNICATION SYSTEM

Alaska Communication System: For expenses necessary for the operation, maintenance, and improvement of the Alaska Communication System, including purchase of two passenger motor vehicles, \$1,804,000, to remain available until the close of the fiscal year 1949.

#### CORPS OF ENGINEERS

##### RIVERS AND HARBORS AND FLOOD CONTROL

To be immediately available and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, and to remain available until expended: *Provided*, That the services of such additional technical and clerical personnel as the Secretary of War may deem necessary may be employed only in the Office of the

Additional personnel.

Chief of Engineers, to carry into effect the various appropriations for rivers and harbors and flood control, surveys, and preparation for and the consideration of river and harbor and flood-control estimates and bills, to be paid from such appropriations: *Provided further*, That the expenditures on this account for the fiscal year 1948 shall not exceed \$1,100,000, and the Secretary of War shall each year, in the Budget, report to Congress the number of persons so employed, their duties, and the amount paid to each: *Provided further*, That the various appropriations for rivers and harbors and flood control may be used for the purchase, in the fiscal year 1948, of two hundred passenger motor vehicles and ten motorboats, and the purchase, maintenance, repair, and operation of twelve aircraft: *Provided further*, That hereafter no appropriation under the Corps of Engineers shall be available for any expenses incident to operating any power-driven boat or vessel on other than Government business, and that Government business shall be construed to include transportation, lodging, and subsistence on inspection trips of Federal and State officials, having a public interest in authorized or proposed improvements for river and harbor and flood control, and any expenses incurred therefor shall be chargeable to river and harbor and flood control appropriations heretofore or hereafter made under rules and regulations to be prescribed by the Chief of Engineers: *Provided further*, That such expenditures shall be certified by the Division Engineer as necessary and proper expenditures:

## RIVERS AND HARBORS

Maintenance, etc. Maintenance and improvement of existing river and harbor works: For the preservation and maintenance of existing river and harbor works, and for the prosecution of such projects heretofore authorized as may be most desirable in the interests of commerce and navigation; for survey of northern and northwestern lakes and other boundary and connecting waters as heretofore authorized, including the preparation, correction, printing, and issuing of charts and bulletins and the investigation of lake levels; for prevention of obstructive and injurious deposits within the harbor and adjacent waters of New York City; for expenses of the California Débris Commission in carrying on the work authorized by the Act approved March 1, 1893, as amended (33 U. S. C. 661, 678, and 683); for removing sunken vessels or craft obstructing or endangering navigation as authorized by law; for operating and maintaining, keeping in repair, and continuing in use without interruption any lock, canal (except the Panama Canal), canalized river, or other public works for the use and benefit of navigation belonging to the United States, including maintenance of the Hennepin Canal in Illinois; for payment annually of tuition fees of not to exceed one hundred student officers of the Corps of Engineers at civil technical institutions under the provisions of section 127a of the National Defense Act, as amended (10 U. S. C. 535); for examinations, surveys, and contingencies of rivers and harbors; for the execution of detailed investigations and the preparation of plans and specifications for projects heretofore or hereafter authorized; for printing and binding and office supplies and equipment required in the Office of the Chief of Engineers to carry out the purposes of this appropriation, including such printing, either during a recess or session of Congress, of surveys authorized by law, and such surveys as may be printed during a recess of Congress shall be printed, with illustrations, as documents of the next succeeding session of Congress: *Provided*, That no part of this appropriation shall be expended for any preliminary examination, survey, project, or estimate not authorized by law, \$116,718,700: *Provided further*, That from this appropriation the Secretary of War may, in his discretion and on the recommendation

Limitation on expenditures.

Report to Congress.

Purchase of motor vehicles, motorboats, and aircraft.

Power-driven boats.

Certification of expenses.

California Débris Commission.  
27 Stat. 507.

Student officers.  
41 Stat. 785.

Printing and binding.

Unauthorized surveys, etc.

Harbor channels.

of the Chief of Engineers based on the recommendation by the Board of Rivers and Harbors in the review of a report or reports authorized by law, expend such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality, or other public agency, outside of harbor lines and serving essential needs of general commerce and navigation, such work to be subject to the conditions recommended by the Chief of Engineers in his report or reports thereon: *Provided further*, That not to exceed \$3,000 of the amount herein appropriated shall be available for the support and maintenance of the Permanent International Commission of the Congresses of Navigation and for the payment of the expenses of the properly accredited delegates of the United States to the meeting of the Congresses and of the Commission.

Alteration of bridges over navigable waters: For payment of the share of the United States of the cost of alteration of bridges over navigable waters in accordance with the provisions of the Act of June 21, 1940 (Public Law 647), \$500,000, to remain available until expended.

Permanent International Commission of the Congresses of Navigation.

Alteration of bridges.

54 Stat. 497.  
33 U. S. C. §§ 511-523.

#### FLOOD CONTROL

Flood control, general: For the construction and maintenance of certain public works on rivers and harbors for flood control, and for other purposes, in accordance with the provisions of the Flood Control Act, approved June 22, 1936, as amended and supplemented, including printing and binding, and office supplies and equipment required in the Office of the Chief of Engineers to carry out the purposes of this appropriation, and for preliminary examinations, surveys, and contingencies in connection with the flood control, \$246,072,825, of which \$200,000 shall be made available for the preparation of detailed plans for the Dyberry and Prompton Reservoirs in the Lackawaxen River Basin, Pennsylvania, recommended for construction in the report of the Chief of Engineers, United States Army, in House Document Numbered 113, of the Eightieth Congress and the preparation of such plans is hereby authorized: *Provided*, That funds appropriated herein may be used for flood-control work on the Salmon River, Alaska, as authorized by law: *Provided further*, That funds appropriated herein, not to exceed \$500,000, may be used for necessary bank protection on the Missouri River in the vicinity of Aten, Nebraska: *Provided further*, That funds appropriated herein may be used to execute detailed surveys, and prepare plans and specifications, necessary for the construction of flood-control projects heretofore or hereafter authorized or for flood-control projects considered for selection in accordance with the provisions of section 4 of the Flood Control Act approved June 28, 1938, and section 3 of the Flood Control Act approved August 18, 1941 (55 Stat. 638): *Provided further*, That the expenditure of funds for completing the necessary surveys shall not be construed as a commitment of the Government to the construction of any project: *Provided further*, That no part of this appropriation shall be available or used to maintain or operate the Garrison (North Dakota) Reservoir at a higher maximum normal pool elevation than one thousand eight hundred and thirty feet, or for constructing dikes or levees which would be required by a higher maximum normal pool elevation than one thousand eight hundred and thirty feet for operating such dam: *Provided further*, That in the construction of the Fort Gibson flood-control project in Oklahoma, the Chief of Engineers is authorized and directed to cooperate with the officials of the city of Muskogee in protecting the domestic water supply of such city.

Construction and maintenance.

49 Stat. 1570.  
33 U. S. C. §§ 701a-701f, 701h.

Dyberry and Prompton Reservoirs.

Salmon River, Alaska.

Bank protection, Aten, Nebr.

Surveys, plans, etc.

52 Stat. 1216.  
33 U. S. C. §§ 701j, 702a-194, 702a-12.

Garrison Reservoir, N. Dak.

Fort Gibson project, Okla.

Acquisition of lands  
in Fort Berthold In-  
dian Reservation.

Deposit to credit of  
Three Affiliated  
Tribes.

Availability.

Garrison (North Dakota) Reservoir: For acquisition of the lands and rights therein within the taking line of Garrison Reservoir which lands lie within the area now established as the Fort Berthold Indian Reservation, North Dakota, including all elements of value above or below the surface thereof and including all improvements, severance damages and reestablishment and relocation costs the sum of \$5,105,625, which said sum is included in the total allocated under this Act for the said Garrison Reservoir and which shall be deposited in the Treasury of the United States to the credit of the Three Affiliated Tribes of Fort Berthold Reservation, to be subject to withdrawal and disbursement as herein provided. This amount is made available subject to the following conditions subsequent and in the event the said conditions are not complied with then this amount shall lapse and be thereby null and void. Said conditions subsequent are:

That a contract between the United States and the said Three Affiliated Tribes shall be negotiated and approved by a majority of the adult members of said tribes and enacted into law by the Congress, providing for the conveyance of said lands and interests and the use and distribution of said fund and that disbursements from said fund shall be made forthwith in accordance with said approved contract and Act of Congress.

That said contract shall be submitted to the Congress on or before the first day of June 1948: *Provided, however,* That, notwithstanding said contract or the provisions of this Act, the said Three Affiliated Tribes may bring suit in the Court of Claims as provided in section 24 of the Act of August 13, 1946, on account of additional damages, if any, alleged to have been sustained by said tribes by reason of the taking of the said lands and rights in the said Fort Berthold Indian Reservation on account of any treaty obligation of the Government or any intangible cost of reestablishment or relocation, for which the said tribes are not compensated by the said \$5,105,625.

60 Stat. 1055.  
28 U. S. C. § 259a.

Mississippi River  
and tributaries.

45 Stat. 534.

Flood control, Mississippi River and tributaries: For prosecuting work of flood control in accordance with the provisions of the Flood Control Act approved May 15, 1928, as amended (33 U. S. C. 702a), including printing and binding and office supplies and equipment required in the Office of the Chief of Engineers to carry out the purposes of this appropriation, \$50,000,000.

Emergency fund for flood control on tributaries of Mississippi River: For rescue work and for repair or maintenance of any flood-control work on any tributaries of the Mississippi River threatened or destroyed by flood, in accordance with section 9 of the Flood Control Act, approved June 15, 1936 (49 Stat. 1508), \$500,000.

33 U. S. C. § 702g-1.  
Sacramento River,  
Calif.

39 Stat. 949.  
33 U. S. C. §§ 701-  
703.

Flood control, Sacramento River, California: For prosecuting work of flood control, Sacramento River, California, in accordance with the provisions of the Act approved March 1, 1917, as amended (33 U. S. C. 703, 704; 50 Stat. 849; 55 Stat. 638-651), \$1,750,000.

#### MISCELLANEOUS CIVIL WORKS

Federal water mains  
outside D. C.

Maintenance and operation, Certain Federal Water Mains Outside the District of Columbia: For the maintenance, operation, improvement, extension, and protection of Federal water lines located outside the District of Columbia required to serve nearby Government establishments and facilities with water from the water supply system of the District of Columbia, including interconnections with other water systems for emergency use wherever located, to be immediately available and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, \$12,000.

## UNITED STATES SOLDIERS' HOME

Trust account: For maintenance and operation of the United States Soldiers' Home, to be paid from the Soldiers' Home permanent fund, \$2,410,100, of which \$296,000 shall be immediately and continuously available until expended for the preparation of plans and specifications for the renovation and enlargement of the United States Soldiers' Home: *Provided*, That this appropriation shall not be available for the payment of hospitalization of members of the home in United States Army hospitals at rates in excess of those prescribed by the Secretary of War, upon the recommendation of the Board of Commissioners of the home and the Surgeon General of the Army: *Provided further*, That any owning or disposal agency is authorized to transfer surplus property, other than real estate, to the United States Soldiers' Home without reimbursement or transfer of funds.

Restriction.

Transfer of surplus property.

## THE PANAMA CANAL

For every expenditure requisite for and incident to the maintenance and operation, sanitation, and civil government of the Panama Canal and Canal Zone, and construction of additional facilities, including printing and binding; personal services in the District of Columbia, purchase (not to exceed twenty-five in the fiscal year 1948), and hire of passenger motor vehicles; claims for damages to vessels, cargo, crew, or passengers, as authorized by section 10 of title 2, Canal Zone Code, as amended (54 Stat. 387); claims for losses of or damages to property arising from the conduct of authorized business operations; claims for damages to property arising from the maintenance and operation, sanitation, and civil government of the Panama Canal, and construction of additional facilities; claims under part 2 of the Federal Tort Claims Act of August 2, 1946 (Public Law 601); acquisition of land and land under water, as authorized in the Panama Canal Act; expenses incurred in assembling, assorting, storing, repairing, and selling material, machinery, and equipment heretofore or hereafter purchased or acquired for the construction of the Panama Canal which are unserviceable or no longer needed, to be reimbursed from the proceeds of such sale; expenses incident to conducting hearings and examining estimates for appropriations on the Isthmus; expenses incident to any emergency arising because of calamity by flood, fire, pestilence, or like character not foreseen or otherwise provided for herein; not to exceed \$2,000 for travel and subsistence expenses of members of the police and fire forces of the Panama Canal incident to their special training in the United States; purchase, construction, repair, replacement, alteration, or enlargement of buildings, structures, equipment, and other improvements, as follows:

Maintenance and operation of the Panama Canal: For salary of the Governor, \$10,000; contingencies of the Governor, including entertainment, to be expended in his discretion, not exceeding \$3,000; purchase, inspection, delivery, handling, and storing of materials, supplies, and equipment for issue to all departments of the Panama Canal, the Panama Railroad, other branches of the United States Government, and for authorized sales; payment in lump sums of not exceeding the amounts authorized by the Injury Compensation Act approved September 7, 1916 (5 U. S. C. 793), to alien cripples who are now a charge upon the Panama Canal by reason of injuries sustained while employed in the construction of the Panama Canal; relief payments authorized by the Act approved July 8, 1937 (50 Stat. 478); and not to exceed \$6,500 for deposit in the general fund of the Treasury for cost of penalty mail for offices of the Panama Canal in the United

Maintenance, etc.

Damage claims.  
48 U. S. C. § 1319.60 Stat. 843.  
28 U. S. C. §§ 921,  
922.  
37 Stat. 560.  
48 U. S. C. §§ 1301-  
1387.

Emergencies.

Travel expenses.

Buildings and im-  
provements.Maintenance and  
operation of Panama  
Canal.

Alien cripples.

39 Stat. 750.

Relief payments.  
48 U. S. C. § 1372.

Penalty mail costs.



58 Stat. 394.  
39 U. S. C. §§ 321c-  
321h.  
*Ante*, p. 450.  
37 Stat. 560.  
48 U. S. C. §§ 1301-  
1387.

States as required by the Act of June 28, 1944; in all, \$13,374,000, together with all moneys arising from the conduct of business operations authorized by the Panama Canal Act.

**Sanitation:** For sanitation, quarantine, hospitals, and medical aid and support of the insane and of lepers and aid and support of indigent persons legally within the Canal Zone, including expenses of their deportation when practicable, the purchase of artificial limbs or other appliances for persons who were injured in the service of the Isthmian Canal Commission or the Panama Canal prior to September 7, 1916, additional compensation to any officer of the United States Public Health Service detailed with the Panama Canal as chief quarantine officer, and payments of not to exceed \$50 in any one case to persons within the Government service who shall furnish blood from their veins for transfusion to the veins of patients in Panama Canal Hospitals, \$3,552,000.

Blood for transfusions.

Civil government.

**Civil government:** For civil government of the Panama Canal and Canal Zone, including gratuities and necessary clothing for indigent discharged prisoners, \$2,900,000.

Additional facilities.

**Construction of additional facilities, Panama Canal:** For construction of additional facilities for the improvement and enlargement of the capacity of the Panama Canal, in accordance with the Act of August 11, 1939 (53 Stat. 1409) and for carrying out the purposes of Public Law 280, approved December 28, 1945, including reimbursements to the appropriations for "Maintenance and operation, sanitation, and civil government, Panama Canal", in such amounts as the Governor of the Panama Canal shall from time to time determine to be additional costs incurred for the objects specified in said appropriations on account of the prosecution of the work; in all, \$750,000.

48 U. S. C. § 1307  
note.  
59 Stat. 663.

Additional sums.

**Total, Panama Canal, \$20,576,000, to be available until expended.** In addition to the foregoing sums there is hereby made available for the fiscal year 1948 for expenditures and reinvestment under the several heads of appropriation aforesaid, without being covered into the Treasury of the United States, and to remain available until expended, all moneys received by the Panama Canal during the fiscal year 1948 from services rendered or materials and supplies furnished to the United States; the Panama Railroad Company, the Canal Zone government, or to their employees, respectively, or to the Panama Government, from hotel and hospital supplies and services; from rentals, wharfage, and like service; from labor, materials, and supplies and other services furnished to vessels other than those passing through the Canal, and to others unable to obtain the same elsewhere; from the sale of scrap and other byproducts of manufacturing and shop operations; from the sale of obsolete and unserviceable materials, supplies, and equipment purchased or acquired for the operation, maintenance, protection, sanitation, and government of the Canal and Canal Zone; and any net profits accruing from such business to the Panama Canal shall annually be covered into the Treasury of the United States.

Net profits.

Waterworks, etc.,  
Panama and Colon.

There is also made available for the fiscal year 1948 for the operation, maintenance, and extension of waterworks, sewers, and pavements in the cities of Panama and Colon, to remain available until expended, the necessary portions of such sums as shall be paid during that fiscal year as water rentals or directly by the Government of Panama for such expenses.

## GENERAL PROVISIONS

Canal Zone.  
Citizenship require-  
ment.

**SEC. 2.** No part of any appropriation contained in this Act shall be used directly or indirectly, except for temporary employment in case of emergency, for the payment of any civilian for services rendered by

him on the Canal Zone while occupying a skilled, technical, clerical, administrative, executive, or supervisory position unless such person is a citizen of the United States of America or of the Republic of Panama: *Provided, however*, (1) That, notwithstanding the provision in the Act approved August 11, 1939 (53 Stat. 1409), limiting employment in the above-mentioned positions to citizens of the United States from and after the date of the approval of said Act, citizens of Panama may be employed in such positions; (2) that at no time shall the number of Panamanian citizens employed in the above-mentioned positions exceed the number of citizens of the United States so employed, if United States citizens are available in continental United States or on the Canal Zone; (3) that nothing in this Act shall prohibit the continued employment of any person who shall have rendered fifteen or more years of faithful and honorable service on the Canal Zone; (4) that in the selection of personnel for skilled, technical, administrative, clerical, supervisory, or executive positions, the controlling factors in filling these positions shall be efficiency, experience, training, and education; (5) that all citizens of Panama and the United States rendering skilled, technical, clerical, administrative, executive, or supervisory service on the Canal Zone under the terms of this Act (a) shall normally be employed not more than forty hours per week, (b) may receive as compensation equal rates of pay based upon rates paid for similar employment in continental United States plus 25 per centum; (6) this entire section shall apply only to persons employed in skilled, technical, clerical, administrative, executive, or supervisory positions on the Canal Zone directly or indirectly by any branch of the United States Government or by any corporation or company whose stock is owned wholly or in part by the United States Government: *Provided further*, That the President may suspend from time to time in whole or in part compliance with this section in time of war or national emergency if he should deem such course to be in the public interest: *Provided further*, That the President may, if he finds it necessary because of a shortage of housing, suspend, for the fiscal year 1948, the application of those portions of this section which require the employment of citizens of the Republic of Panama or of the United States in skilled, technical, clerical, administrative, executive, or supervisory positions.

SEC. 3. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any

Employment of Panamanian citizens. 48 U. S. C. § 1307 note.

Limitation.

Employees with 15 years of service.

Selection of personnel.

Hours of employment; pay rates.

Applicability.

Wartime or emergency suspension.

Housing shortage.

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

Affidavit.

Penalty.

appropriation in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

60 Stat. 810.  
5 U. S. C. § 55a.

Transfer of surplus  
supplies to Panama  
Canal.

SEC. 4. The Governor of the Panama Canal is authorized to employ services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), but at rates not exceeding \$100 per diem for individuals.

SEC. 5. The War Department and the Navy Department are authorized to transfer to the Panama Canal, regardless of present location and without charge to the Panama Canal, materials, supplies, tools, and equipment of every character, including structures, vessels, and floating equipment, which are surplus to the needs of the department having title thereto and which may be certified by the Governor of the Panama Canal as necessary for the care, maintenance, operation, improvement, sanitation, and government of the Panama Canal and Canal Zone.

57 Stat. 372.  
31 U. S. C. §§ 215-217  
notes, 223b, 223c.  
60 Stat. 843.  
28 U. S. C. §§ 921,  
922.  
60 Stat. 903.  
5 U. S. C. § 150.  
Short title.

SEC. 6. Appropriations for the Military Establishment and for civil functions administered by the War Department may be used for the payment of claims under the Act of July 3, 1943, and part 2 of the Federal Tort Claims Act of August 2, 1946 (Public Law 601), and for the expenses of health programs for Federal employees pursuant to the Act of August 8, 1946 (Public Law 658).

SEC. 7. This Act may be cited as the "War Department Civil Appropriation Act, 1948".

Approved July 31, 1947.

#### [CHAPTER 412]

#### AN ACT

July 31, 1947  
[H. R. 4110]  
[Public Law 297]

To amend title I of the Act entitled "An Act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges", approved June 29, 1935 (the Bankhead-Jones Act).

Marketing and co-  
operative research  
projects.

60 Stat. 1086.  
7 U. S. C. § 427j.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 11 of title I of the Act entitled "An Act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges", approved June 29, 1935 (the Bankhead-Jones Act), which was added by Public Law 733, Seventy-ninth Congress, is amended by striking out the words "authorized to be" wherever they appear in that section.

Approved July 31, 1947.

#### [CHAPTER 413]

#### AN ACT

July 31, 1947  
[H. R. 4254]  
[Public Law 298]

Providing for the disposition of farm labor camps to public or semipublic agencies or nonprofit associations of farmers.

Disposition of labor  
supply centers, etc.

60 Stat. 1064, 1068.  
7 U. S. C. §§ 1001  
note, 1017 (d).

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That notwithstanding the provisions of section 2 (d) of the Farmers' Home Administration Act of 1946 and section 43 (d) of the Bankhead-Jones Farm Tenant Act, as added by the Farmers' Home Administration Act of 1946, the Secretary of Agriculture may dispose of any labor supply center, labor home, labor camp or facility referred to in said sections

and any equipment pertaining thereto or used in the Farm Labor Supply Program (hereafter referred to as "facilities") for such prices and under such terms and conditions as the Secretary may determine reasonable, after taking into consideration the responsibilities to be assumed by the purchaser, to any public or semipublic agency or any nonprofit association of farmers in the community who will agree to operate and maintain such facilities for the principal purpose of housing persons engaged in agricultural work and to relieve the Government of all responsibility in connection therewith. In disposing of such facilities, the Secretary shall give due consideration to the ability of the applicants to maintain and operate such facilities for housing agricultural workers.

SEC. 2. In order that such public or semipublic agencies or nonprofit associations of farmers may have adequate time to make necessary arrangement for authorizations and funds to acquire such facilities, the authority to dispose of such facilities to such agencies is to continue until June 30, 1949. After January 30, 1948, and pending sale thereof, no facility shall be continued in operation except under contractual arrangements with responsible public, or semipublic agencies or nonprofit associations of farmers who will agree to operate such facilities for the principal purpose of housing persons engaged in agricultural work and to relieve the Federal Government of all financial responsibility in connection with the operation of such facilities. Any facility with respect to which no such contractual arrangement has been made by January 30, 1948, shall be liquidated as expeditiously as possible under the provisions of this Act or section 43 (d) of the Farmers' Home Administration Act of 1946, and in any event not later than June 30, 1949. Any facility which is continued in operation after January 30, 1948, pursuant to a contractual arrangement with a public or semipublic agency or nonprofit association of farmers and which remains unsold on June 30, 1949, shall be disposed of as expeditiously as possible under the provisions of section 43 (d) of the Farmers' Home Administration Act of 1946.

SEC. 3. The funds made available under the item "Farm Labor Supply Program" in the Second Deficiency Appropriation Act, 1947 (Public Law Numbered 76, Eightieth Congress), are also hereby made available until expended for carrying out the purposes of this Act and in addition thereto, there is authorized to be appropriated such additional sums as may be necessary.

Approved July 31, 1947.

#### [CHAPTER 414]

#### AN ACT

Making supplemental appropriations for the fiscal year ending June 30, 1948, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1948, and for other purposes, namely:

#### LEGISLATIVE BRANCH

##### SENATE

Office of the Sergeant at Arms and Doorkeeper: For the compensation of fifteen additional privates, Capitol Police Force, at the

Continuation of disposal authority until June 30, 1949.

Contractual arrangements for operation.

Liquidation of facility.

60 Stat. 1068.  
7 U. S. C. § 1017 (d).  
Facility continued in operation after Jan. 30, 1948.

*Ante*, p. 109.

Appropriation authorized.

July 31, 1947  
[H. R. 4347]

[Public Law 299]

Second Supplemental Appropriation Act, 1948.

*Ante*, pp. 118, 187, 245, 361, 608, 609; *post*, pp. 703, 941.

*Ante*, pp. 362, 610.

basic rate of \$2,000 each per annum, from October 1, 1947, to June 30, 1948, \$24,000.

*Ante*, pp. 364, 611.

Contingent expenses, Senate: To enable the Senate Committee on Rules and Administration, or its authorized representative, to make final settlement of all authorized accounts outstanding against the Senate Restaurants at the close of business July 31, 1947, including payments for terminal and accrued leave and compensatory absence with pay authorized by the committee on the basis of services rendered prior to August 1, 1947, \$19,000, together with the balance (exclusive of such amounts as required to cover outstanding checks) in the special deposit account on August 1, 1947, maintained in the Treasury of the United States for the United States Senate Restaurants, which balance shall be paid by the Architect of the Capitol to the committee or its authorized representative on August 1, 1947.

## HOUSE OF REPRESENTATIVES

### SALARIES, OFFICERS AND EMPLOYEES

*Ante*, p. 365.

Office of the Sergeant at Arms, \$700, and the basic salary of the assistant cashier hereafter shall be at the annual rate of \$4,500 per annum.

### CONTINGENT EXPENSES OF THE HOUSE

*Ante*, p. 366.

Special and select committees: For an additional amount for expenses of special and select committees authorized by the House, \$400,000.

### CAPITOL POLICE

*Ante*, p. 368.

General expenses: For an additional amount, \$2,400, to be disbursed by the Clerk of the House of Representatives.

## INDEPENDENT OFFICES

### AMERICAN BATTLE MONUMENTS COMMISSION

*Ante*, p. 588.

60 Stat. 317.  
36 U. S. C. §§ 121,  
123-132, 138-138b.  
*Post*, p. 779.

Construction of memorials and cemeteries: For the permanent design and construction of memorials and cemeteries in foreign countries as authorized by the Act of June 26, 1946 (Public Law 456), and H. R. 3394, \$50,000, to remain available until expended.

### CIVIL SERVICE COMMISSION

*Ante*, p. 589.

Transfer of funds.

Membership on  
Loyalty Review  
Board.  
35 Stat. 1107, 1109.

Salaries and expenses: For an additional amount for "Salaries and expenses", Civil Service Commission, including \$100,000 additional for printing and binding and \$150,000 additional for penalty mail, \$3,500,000: *Provided*, That such sums as the Bureau of the Budget may approve may be transferred from this appropriation to other agencies of the Government for investigating Federal employees: *Provided further*, That nothing in sections 109 and 113 of the Criminal Code (18 U. S. C. 198 and 203) or in section 190 of the Revised Statutes (5 U. S. C. 99) shall be deemed to apply to any person because of his appointment for part-time service as a member of the Loyalty Review Board in the Civil Service Commission.

### COMMISSION ON ORGANIZATION OF THE EXECUTIVE BRANCH OF THE GOVERNMENT

*Ante*, p. 246; *post*,  
p. 940.

Salaries and expenses, to be expended in accordance with the provisions of the Act of July 7, 1947 (Public Law 162), \$750,000.

## FEDERAL WORKS AGENCY

## PUBLIC BUILDINGS ADMINISTRATION

*Ante*, p. 592.

Costs of maintenance, upkeep, and repair paid by Government corporations pursuant to section 306 of the Government Corporations Appropriation Act, 1948, shall be credited to the appropriations of the Public Buildings Administration bearing such costs.

*Ante*, p. 584.

## BUREAU OF COMMUNITY FACILITIES

*Ante*, p. 597.

Maintenance and operation of schools: For carrying out the Act entitled "An Act to extend the period for providing assistance for certain war-incurred school enrollments" (H. R. 3682), \$2,500,000, of which amount not to exceed \$50,000 shall be available for administrative expenses, including the objects specified under the head "Defense public works (community facilities)" in the Second Deficiency Appropriation Act, 1941, and the joint resolution approved December 23, 1941 (Public Law 371): *Provided*, That the availability of this appropriation is contingent upon the enactment into law of said H. R. 3682.

*Post*, p. 716.

55 Stat. 546.

55 Stat. 855.  
Availability of ap-  
propriation.

## UNITED STATES MARITIME COMMISSION

The operating receipts made available to the United States Maritime Commission by the Third Deficiency Appropriation Act, 1946 (60 Stat. 614), as amended by the Act of February 26, 1947 (Public Law 6), and the Act of June 28, 1947 (Public Law 127), shall be available for the purpose of carrying out the operating functions transferred to the Maritime Commission by section 202 of the Naval Appropriation Act, 1947 (60 Stat. 501), until March 1, 1948, for the following purposes and in the following amounts:

*Ante*, pp. 6, 190.

Salaries and general administrative expenses, \$4,650,000: *Provided*, That such amount shall remain available from March 1, 1948, to June 30, 1948, for salaries and other administrative expenses in connection with liquidation of such operating functions;

*Ante*, p. 603.

Vessel and voyage operations, \$100,000,000;

Maintenance and repairs, \$14,000,000;

Charter hire, \$846,000;

Insurance, \$1,164,000;

Cost of placing vessels into reserve fleet, \$5,500,000;

Delivery expenses on vessels withdrawn from reserve fleet for sale, \$1,099,000;

Miscellaneous expenses, \$600,000;

*Ante*, p. 603.

Unliquidated obligations as at June 30, 1947, \$44,600,000;

Reserve for contingencies, including claims arising from operations during the period, January 1, 1947, to February 29, 1948, \$30,000,000;

In all, \$192,059,000, and all receipts to such fund, during the fiscal year 1948, in excess of such amount shall be carried to the surplus fund and covered into the Treasury.

The Secretary of the Treasury is hereby authorized and directed to withdraw from the accounts of the United States Maritime Commission fifteen days after the date of enactment hereof the unexpended balance of the War Shipping Administration funds received by the United States Maritime Commission pursuant to section 202 of the Naval Appropriation Act, 1947 (60 Stat. 501), and to carry such unexpended balance to the surplus fund to be covered into the Treasury, and there is hereby appropriated to the Secretary of the Treasury such amount as may be necessary (not to exceed \$200,000,000)

Liquidation of obligations.

Revolving fund, War Shipping Administration.

to liquidate such obligations as may be found by the General Accounting Office as having been properly incurred against such funds prior to January 1, 1947: *Provided*, That the appropriation herein for liquidation of obligations shall be available only until March 31, 1948: *Provided further*, That moneys received by agent operators of the Maritime Commission on account of operations prior to September 1, 1946, under the War Shipping Administration revolving fund may be applied against necessary expenses of such agent operators in connection with liquidation of obligations incurred under such fund prior to January 1, 1947: *Provided further*, That hereafter all moneys accruing to the Maritime Commission from operations under the War Shipping Administration revolving fund prior to September 1, 1946 (including moneys received from agent operators after deduction of necessary expenses of such agent operators), shall be covered into the Treasury as miscellaneous receipts.

#### DISTRICT OF COLUMBIA

##### REGULATORY AGENCIES

*Ante*, p. 427.

Office of Recorder of Deeds: For an additional amount for the "Office of the Recorder of Deeds", \$12,000, to be available for salaries and expenses of the Auto Lien Division.

#### DEPARTMENT OF AGRICULTURE

##### AGRICULTURAL RESEARCH ADMINISTRATION

##### BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

##### SALARIES AND EXPENSES

*Ante*, p. 534.  
Research laboratory, Quincy, Fla.

Insect investigations: For an additional amount for "Insect investigations", including the same objects specified under this head in the Department of Agriculture Appropriation Act, 1948, \$5,000: *Provided*, That this additional amount shall be used for the maintenance and operation of a research laboratory at Quincy, Florida, for the study of insects and fungi affecting cigar-wrapper tobacco.

##### FLOOD CONTROL

*Ante*, p. 540.

Flood control: For an additional amount for "Flood control", \$2,000,000, to remain available until expended, to be available for preliminary examinations and surveys (in an amount not exceeding \$100,000) and works of improvement in the watershed of the Mississippi River and its tributaries.

#### DEPARTMENT OF COMMERCE

##### OFFICE OF THE SECRETARY

*Ante*, p. 618.

*Ante*, p. 618.

Materials distribution and liquidation of Office of Temporary Controls: For an additional amount for "Materials distribution and liquidation of Office of Temporary Controls", \$300,000, and the total amount appropriated under this head shall be available for carrying out the purposes specified under this head in the Supplemental Appropriation Act, 1948, and for necessary expenses of carrying out the purposes of H. R. 1602, Eightieth Congress, if said bill is enacted into law: *Provided*, That the amounts specified in the Supplemental Appropriation Act, 1948, for transfer from the appropriation under this head to the appropriations of the Department of Commerce for "Salaries and expenses, Bureau of Foreign and Domestic Commerce", and "Printing and binding, Department of Commerce", are hereby

increased by \$295,000 and \$5,000, respectively: *Provided further*, That this paragraph shall be effective only upon the enactment into law of H. R. 1602, Eightieth Congress, during the first session of that Congress.

Restriction.

#### WEATHER BUREAU

Salaries and expenses: For an additional amount for "Salaries and expenses", \$275,000.

*Ante*, p. 300.

### DEPARTMENT OF THE INTERIOR

#### BUREAU OF LAND MANAGEMENT

Management, protection, and disposal of public lands: For an additional amount, for "Management, protection, and disposal of public lands", \$300,000, and the limitation on the amount for carrying out the provisions of the Act of June 28, 1934, as amended (43 U. S. C. 8A), is hereby increased from \$398,000 to \$698,000.

*Ante*, p. 463.

48 Stat. 1269.  
43 U. S. C. §§ 315-315q.  
*Post*, p. 790, 791.

#### BUREAU OF INDIAN AFFAIRS

Construction, and so forth, buildings and utilities: For an additional amount for the construction and equipment of a new school building in the town of Moclips, Grays Harbor County, Washington, as authorized by Public Law 138 (Eightieth Congress), approved June 30, 1947, \$88,000.

*Ante*, p. 467.

*Ante*, p. 211.

#### BUREAU OF RECLAMATION

##### OPERATION AND MAINTENANCE

Yuma project, Arizona-California: For an additional amount for "Yuma project, Arizona-California" (operation and maintenance), from the reclamation fund, special fund, \$100,000, to remain available until expended.

*Ante*, p. 474.

#### MISSOURI RIVER BASIN

Missouri River Basin (reimbursable except as provided in the Act of December 22, 1944 (Public Law 534), Seventy-eighth Congress, and the Act of August 14, 1946 (Public Law 732), Seventy-ninth Congress): For an additional amount for "Missouri River Basin", \$6,400,000, to remain available until expended, and to include the following projects:

58 Stat. 887.  
16 U. S. C. §§ 460d, 825s; 33 U. S. C. §§ 701a-1, 701c and note, 708, 709; 43 U. S. C. § 390.  
60 Stat. 1080.  
16 U. S. C. §§ 661-666c.  
*Ante*, p. 476.

##### Yellowstone Basin:

Boysen Dam, \$700,000;  
Moorehead Dam, \$900,000;

##### Minor western tributaries:

Bixby Dam, \$500,000;  
Cannonball Dam, \$400,000;

Heart River project, Heart Butte and Dickinson Dams, \$400,000;

Keyhole Dam, \$200,000;  
Shadehill Dam, \$300,000;

##### Republican Basin:

Bonny Dam, \$800,000;  
Culbertson Dam, \$300,000;  
Enders Dam, \$700,000;

Platte Basin: Narrows Dam, \$300,000;

Kansas Basin: Cedar Bluff Dam, \$900,000.

#### BUREAU OF MINES

Coal mine inspections and investigations: For an additional amount for "Coal mine inspections and investigations", including, in addition to the objects specified under this head in the Interior Department



*Ante*, p. 479.

Appropriation Act, 1948, printing and binding, and the purchase of twenty-five passenger motor vehicles, \$250,000, and the limitation upon the amount that may be expended for personal services in the District of Columbia is increased to \$150,000. This appropriation is contingent upon the enactment into law of Senate Joint Resolution 130 or House Joint Resolution 244.

*Post*, p. 725.

## DEPARTMENT OF JUSTICE

## FEDERAL BUREAU OF INVESTIGATION

*Ante*, p. 291.

Salaries and expenses: For an additional amount for "Salaries and expenses, detection and prosecution of crimes", Federal Bureau of Investigation, \$7,500,000.

## DEPARTMENT OF LABOR

## OFFICE OF THE SECRETARY

*Ante*, pp. 261, 621.

Salaries: For an additional amount for "Salaries", \$100,000.  
 Printing and binding: For an additional amount for "Printing and binding", \$5,000.  
 Penalty mail costs: For an additional amount for "Penalty mail costs", \$5,500.

## BUREAU OF LABOR STATISTICS

*Ante*, p. 262.

Salaries and expenses: For an additional amount for "Salaries and expenses", \$100,000, and the limitation for personal services in the District of Columbia is hereby increased from \$2,202,700 to \$2,327,700.

## NAVY DEPARTMENT

60 Stat. 810.  
 5 U. S. C. § 55a.  
 Transfer of funds.

The Secretary of the Navy is authorized to procure temporary services in accordance with section 15 of the Act of August 2, 1946 (Public Law 600).

The following amounts are hereby transferred from the unexpended balances of the United States Maritime Commission working fund (Navy Department) to the Navy Department for the expenses of the care and handling of vessels in the custody of the Navy Department which have been declared surplus by the Navy Department to the Maritime Commission as disposal agency, and such amounts shall be considered as reimbursements to the Navy Department for such expenses to be credited to existing appropriations as follows:

60 Stat. 485; *ante*,  
 p. 68.  
*Ante*, p. 385.

Maintenance, Bureau of Ships, 1947, \$6,613,353;  
 Maintenance, Bureau of Ships, 1948, \$4,000,000.

## POST OFFICE DEPARTMENT

## (OUT OF THE POSTAL REVENUES)

For additional amounts for appropriations of the Post Office Department for the fiscal year 1947, as follows:

## FIELD SERVICE, POST OFFICE DEPARTMENT

## OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

60 Stat. 582; *ante*,  
 p. 112.

"Star route and air mail service, Alaska", \$236,000, to be derived by transfer from the appropriation "Domestic Air Mail Service, 1947";  
 "Foreign mail transportation", \$1,336,000.

60 Stat. 583; *ante*,  
 pp. 69, 112.

For additional amounts for appropriations of the Post Office Department for the fiscal year 1948, as follows:

## POST OFFICE DEPARTMENT, WASHINGTON, DISTRICT OF COLUMBIA

## CONTINGENT EXPENSES, POST OFFICE DEPARTMENT

"For printing and binding for the Post Office Department and postal service", \$350,000;

*Ante*, p. 228.

## OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

"Salaries, Office of the Second Assistant Postmaster General", \$123,500: *Provided*, That this appropriation shall be available only for temporary personal services in the District of Columbia in connection with rate hearings before the Interstate Commerce Commission;

*Ante*, p. 228.

Restriction.

## FIELD SERVICE, POST OFFICE DEPARTMENT

## OFFICE OF THE POSTMASTER GENERAL

"Adjusted losses and contingencies", \$55,000;

*Ante*, p. 229.

## OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL

*Ante*, p. 230.

"Carfare and bicycle allowance", \$325,000;

"Special-delivery compensation and fees", \$750,000;

"Rural Delivery Service", \$2,000,000;

The appropriations heretofore or herein made for "Clerks, first- and second-class post offices", "City-delivery carriers", "Carfare and bicycle allowance", and "Special-delivery compensation and fees" shall be apportioned on a quarterly basis (pursuant to section 3679, R. S., as amended, 31 U. S. C. 665) for the service of the entire fiscal year: *Provided*, That if determined by the Bureau of the Budget to be necessary because of increase in the volume of mail above that estimated as a basis for determining the budget estimates for the fiscal year 1948, the apportionment for any quarter of any such appropriation may be increased by not to exceed 6 per centum thereof, by transfer from the apportionment of such appropriation for any other quarter: *Provided further*, That there may be transferred from any of the foregoing appropriations (but no such appropriation shall be reduced by more than 5 per centum by such transfers) to any other such appropriation such amounts as may be approved by the Bureau of the Budget: *Provided further*, That the Bureau of the Budget shall immediately report any such transfers with reasons therefor to the Committees on Appropriations of the House of Representatives and the Senate;

*Ante*, p. 230.  
Apportionment on a quarterly basis.

Increase in apportionment.

Transfer of funds.

Report to Congress.

## OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

*Ante*, p. 230.

"Star Route and Air Mail Service, Alaska", \$298,000;

"Powerboat Service", \$300,000;

"Railway Mail Service", \$100,000: *Provided*, That such funds shall be available only for temporary personal services in substitution of personal services utilized in connection with rate hearings before the Interstate Commerce Commission;

Temporary personal services.

"Foreign mail transportation", \$10,000,000;

*Ante*, p. 231.

"Balances due foreign countries", \$5,000,000;

*Ante*, p. 231.

"Foreign air-mail transportation", \$35,000,000;

*Ante*, p. 231.

"Domestic Air Mail Service", \$10,000,000;

*Ante*, p. 231.

The appropriations heretofore or herein made for "Star-route service", "Powerboat Service", "Railroad transportation and mail messenger service", "Railway Mail Service", and "Railway postal clerks, travel allowance", shall be apportioned on a quarterly basis (pursuant to section 3679, R. S., as amended, 31 U. S. C. 665) for the service of the entire fiscal year: *Provided*, That if determined by the Bureau of the Budget to be necessary because of increase in the volume of mail above that estimated as a basis for determining the budget

*Ante*, p. 230.  
Apportionment on a quarterly basis.

Increase in apportionment.

Transfer of funds.

Report to Congress.

estimates for the fiscal year 1948, the apportionment for any quarter of any such appropriation may be increased by not to exceed 4 per centum thereof, by transfer from the apportionment of such appropriation for any other quarter: *Provided further*, That there may be transferred from any of the foregoing appropriations (but no such appropriation shall be reduced by more than 5 per centum by such transfers) to any other such appropriation such amounts as may be approved by the Bureau of the Budget: *Provided further*, That the Bureau of the Budget shall immediately report any such transfers with reasons therefor to the Committees on Appropriations of the House of Representatives and the Senate;

*Ante*, p. 231.

#### OFFICE OF THE THIRD ASSISTANT POSTMASTER GENERAL

"Manufacture and distribution of stamps and stamped paper", \$2,000,000;

"Indemnities, domestic mail", \$1,221,000;

"Unpaid money orders more than one year old", \$400,000;

*Ante*, pp. 231, 232.

#### OFFICE OF THE FOURTH ASSISTANT POSTMASTER GENERAL

"Equipment shops, Washington, District of Columbia", \$3,500,000;

"Rent, light, power, fuel, and water", \$650,000;

"Vehicle service", \$2,000,000;

"Transportation of equipment and supplies", \$100,000;

#### PUBLIC BUILDINGS, MAINTENANCE AND OPERATION

*Ante*, p. 232.

Waiver or modification of apportionments.

"Operating supplies, public buildings", \$100,000.

Nothing herein shall be so construed as to limit the authority of the Director of the Bureau of the Budget to waive or modify apportionments as provided in section 3679, Revised Statutes, as amended (31 U. S. C. 665).

### TREASURY DEPARTMENT

#### COAST GUARD

*Ante*, p. 225.

*Ante*, pp. 225, 226.

Study of administrative, management, etc., policies.

*Ante*, p. 226.

Salaries and expenses, Coast Guard: For an additional amount, fiscal year 1948, for "Salaries and expenses, Coast Guard", \$6,050,000; and the limitations thereunder (Public Law 147, approved July 1, 1947) are hereby increased as follows: For "Pay and allowances" from "\$72,000,000" to "\$76,836,000", and for recreation, amusement, and so forth, from "\$50,000" to "\$54,000": *Provided*, That not to exceed \$100,000 of the appropriation for "General expenses, Coast Guard, 1948", shall be available for defraying, on a contract basis or otherwise, the expenses of a study of the administrative, management, and fiscal policies and affairs of the Coast Guard, such study to be made by such persons or organizations, as may be designated by the Secretary of the Treasury and the chairmen of the Committees on Appropriations of the House of Representatives and the Senate.

*Ante*, p. 227.

The appropriation "Acquisition of vessels and shore facilities, Coast Guard", is hereby reduced by \$9,309,270, such sum to be carried to the surplus fund and covered into the Treasury immediately upon the approval of this Act.

### WAR DEPARTMENT

#### REMOUNT SERVICE, QUARTERMASTER CORPS

For the operation and maintenance of the Army Remount Service, including the subsistence and care of riding and draft animals and for other purposes as specified in the Military Appropriation Act, 1948, under the heading Quartermaster Corps, Quartermaster Service,

Army, following the caption "Horses, draft and pack animals"; \$350,000: *Provided*, That in the event of the transfer of the Army Remount Service or its functions to the Department of Agriculture, the unobligated balance of the sum hereby appropriated shall be transferred to the Department of Agriculture to be expended for the purposes authorized by the Act providing for such transfer.

*Ante*, p. 558.

Transfer of funds.

## GENERAL PROVISIONS

SEC. 2. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

Affidavit.

Penalty.

SEC. 3. All obligations incurred during the period between June 30, 1947, and the date of enactment of any regular annual appropriation Act for the fiscal year 1948, the "Supplemental Appropriation Act, 1948", the "Government Corporations Supplemental Appropriation Act, 1948", or the "Second Supplemental Appropriation Act, 1948", in anticipation of the appropriations or authority contained in any such Act are hereby ratified and confirmed if in accordance with the provisions of such Act when enacted into law.

*Ante*, p. 610.

*Ante*, p. 514.

*Ante*, p. 695.

SEC. 4. There are hereby authorized to be transferred from any appropriations for the War Department for the Military Establishment, and from any appropriations for the Navy Department and the naval service, to the National Security Council, the National Security Resources Board, and the Office of the Secretary of Defense such amounts as may be determined by the President to be necessary until such time as the Congress shall have made appropriations therefor, and the amounts so transferred shall be available, without regard to the purposes of the appropriation from which such transfers shall be made, for expenses of the agencies to which such funds are transferred, including personal services at the seat of government; services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), at rates not to exceed \$35 per diem for individuals; printing and binding; and health-service programs as authorized by the Act of August 8, 1946 (Public Law 658): *Provided*, That the War and Navy Departments may transfer such equipment (including motor vehicles) and furniture as may be necessary to the National Security Council,

Transfer of funds.

60 Stat. 810.  
5 U. S. C. § 55a.

60 Stat. 903.  
5 U. S. C. § 150.  
Transfer of equipment.

the National Resources Board, and the Office of the Secretary of Defense: *Provided further*, That the foregoing authority is contingent upon the establishment by law of said agencies to which transfers may be made hereunder: *Provided further*, That transfers authorized hereunder shall not exceed \$2,000,000 in the aggregate.

Short title.

SEC. 5. This Act may be cited as the "Second Supplemental Appropriation Act, 1948".

Approved July 31, 1947.

#### [CHAPTER 417]

#### AN ACT

July 31, 1947  
[S. 885]  
[Public Law 300]

To provide that the Canadian-built dredge Ajax and certain other dredging equipment owned by a United States corporation be documented under the laws of the United States.

Documentation of  
certain Canadian-  
built vessels.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Director of the Bureau of Marine Inspection and Navigation is authorized and directed to document under the laws of the United States the Canadian-built dredge Ajax and the Canadian-built dump scows D. S. 135290, D. S. 135291, D. S. 308, and D. S. 310, which are owned by the Puget Sound Towboat Company, a subsidiary of the Puget Sound Bridge and Dredging Company, in order that such vessels may continue to operate within the United States without violating the restrictions of the navigation laws on dredging operations and coastwise transportation: *Provided*, That the documentation of the Ajax as provided in this Act shall terminate upon completion of the Wrangell Narrows, Alaska, contract now in force between United States Engineers and subject company.

Termination.

Approved July 31, 1947.

#### [CHAPTER 418]

#### AN ACT

July 31, 1947  
[S. 1361]  
[Public Law 301]

To amend the United States Housing Act of 1937 so as to permit loans, capital grants, or annual contributions for low-rent-housing and slum-clearance projects where construction costs exceed present cost limitations upon condition that local housing agencies pay the difference between cost limitations and the actual construction costs.

U. S. Housing Act  
of 1937, amendment.  
50 Stat. 895.  
42 U. S. C. § 1415.

Loans for low-rent-  
housing projects, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 15 of the United States Housing Act of 1937 is amended by adding at the end thereof the following new subsection:

Participation in  
other projects.

"(6) Notwithstanding the provisions of subsection (5) of this section, or of any other section of this Act, the Authority is authorized to make capital grants, loans, or annual contributions for low-rent-housing or slum-clearance projects, in the full amount of any sums previously allocated pursuant to this Act, to any public housing agency, at the request of such agency, upon condition that such agency will pay, or cause to be paid by the State or political subdivision, such proportion of the total development cost of the project as the amount of the average actual cost per family dwelling unit of the items covered by the applicable cost limitations prescribed in subsection (5) of this section in excess thereof bears to such average actual cost: *Provided*, That the amount of any such payment shall be excluded from the base on which the maximum amount of any capital grants, loans, or annual contributions authorized by this Act are calculated. The receipt of capital grants, loans, or annual contributions by any public-housing agency pursuant to this subsection shall in no way prejudice or impair the rights or privileges of such agency to participate fully in other

low-rent-housing or slum-clearance projects under this Act or any other law. Nothing in this subsection shall prejudice the right of those public housing agencies which can, by reason of lesser need, or would prefer to delay the starting of their proposed building operations until labor and material costs stabilize at levels consistent with the cost limitations prescribed in subsection (5) of this section."

Right to delay  
building operations.

SEC. 2. The United States or any State or local public agency assisted by Federal funds made available with respect to housing shall continue to have the right to maintain an action or proceeding to recover possession of any housing accommodations (except as provided in the proviso of section 209 (b) of the Housing and Rent Act of 1947) operated by it where such action or proceeding is authorized by the statute or regulations under which such accommodations are administered, but no such action or proceeding shall be maintained prior to March 1, 1948, if in the opinion of the administering authority such action or proceeding would result in undue hardship for the occupants of such housing accommodations, or unless in the opinion of such authority other housing facilities are available for such occupants.

Right to maintain  
action, etc.

*Ante*, p. 201.

Approved July 31, 1947.

[CHAPTER 419]

AN ACT

To authorize the Secretary of the Navy to establish a postgraduate school at Monterey, California.

July 31, 1947  
[H. R. 1341]  
[Public Law 302]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Navy is authorized to acquire six hundred and six and five hundred and ninety-two one-thousandths acres of land upon which the United States of America now has an option with buildings thereon at Monterey, California, for the establishment of a naval postgraduate school, including the necessary construction and alterations to provide school facilities, quarters, and collateral facilities and equipment, including the acquisition of the necessary land, at a cost not to exceed \$2,500,000: *Provided*, That contracts may be entered into without regard to the provisions of 3709 Revised Statutes.

Navy.  
Acquisition of land,  
etc., for postgraduate  
school.

41 U. S. C. § 5.

Approved July 31, 1947.

[CHAPTER 420]

AN ACT

To establish the United States Naval Postgraduate School, and for other purposes.

July 31, 1947  
[H. R. 1379]  
[Public Law 303]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Navy is hereby authorized and directed to establish the United States Naval Postgraduate School for the advanced instruction and training of commissioned officers of the Regular Navy and Marine Corps and the reserve components thereof in the practical and theoretical duties of commissioned officers.

U. S. Naval Post-  
graduate School.

SEC. 2. The military command of the United States Naval Postgraduate School (hereinafter referred to as the postgraduate school) shall be exercised by a line officer of the Regular Navy, qualified to command at sea, detailed by the Secretary of the Navy, from the active list not below the grade of captain to serve as Superintendent. Such other officers of the line and staff of the Navy and Marine Corps, of appropriate ranks and qualifications, shall be detailed by the Secretary of the Navy as may be necessary to assist the Superintendent in

Military command.

(a) the training of students in the practical and theoretical duties of commissioned naval officers, and (b) the administration of the postgraduate school.

Employment of civilian professors, etc.

SEC. 3. The Secretary of the Navy is authorized to employ at the postgraduate school, under the direction of the Superintendent, such number of civilian senior professors, professors, associate professors, assistant professors, and instructors, as in his opinion may be necessary for the proper instruction of students in the theoretical, academic, and scientific subjects pertaining to the technical and practical aspects of the naval profession; and such senior professors, professors, associate and assistant professors, and instructors so employed shall receive such compensation for their services as may be prescribed by the Secretary of the Navy. The Secretary of the Navy shall report to the Congress each fiscal year the number of senior professors, professors, associate and assistant professors, and instructors so employed and the amount of compensation prescribed for each. The Act of January 16, 1936 (49 Stat. 1092), as amended by the Acts of November 28, 1943 (57 Stat. 594), and August 2, 1946 (Public Law 596, Seventy-Ninth Congress, second session), shall apply to the civilian teaching staff of the postgraduate school.

Compensation.

Report to Congress.

60 Stat. 804.  
34 U. S. C. §§ 1073-1073e.

60 Stat. 236.  
34 U. S. C. § 1074.

SEC. 4. The Act of June 10, 1946 (Public Law 402, Seventy-ninth Congress, second session), creating the civilian position of Academic Dean of the Postgraduate School of the Naval Academy shall apply to the postgraduate school established by this Act.

Military officers of foreign countries.

SEC. 5. The Secretary of the Navy is hereby authorized to permit commissioned officers of the military services of foreign countries, with the authorization and direction of the President of the United States, to receive instruction at the postgraduate school. Such officers shall be subject to the same rules and regulations governing attendance, discipline, discharge, and standards of study as are applied to students of the United States Navy: *Provided*, That such officers shall not be entitled to appointment to any office or position in the United States Navy by reason of completion of the prescribed course of study at the postgraduate school.

Attendance, etc., of U. S. Army and Coast Guard officers.

SEC. 6. The Secretary of the Navy is authorized, at the request of the Secretary of War and the Secretary of the Treasury, to permit attendance and instruction at the postgraduate school of officers of the Army of the United States and United States Coast Guard, respectively, in such numbers and ranks as may be agreed upon by the Secretary of the Navy with the Secretaries of War and Treasury, respectively: *Provided*, That the War Department and the Treasury Department shall bear the proportionate share of the cost of such instruction as may be received by the students detailed to receive such instruction by the Secretaries of War and Treasury, respectively. Such officers of the Army of the United States and the United States Coast Guard, while under instruction, shall be subject to the same rules and regulations as are applied to students of the United States Navy.

59 Stat. 603.  
34 U. S. C. § 1057a-1.

SEC. 7. The title of the Act approved December 7, 1945 (Public Law 250, Seventy-ninth Congress, first session), is hereby amended to read as follows: "To authorize the Superintendent of the United States Naval Postgraduate School to confer bachelors of science, masters, and doctors degrees in engineering and related fields." Section 1 of the foregoing Act is hereby amended to read as follows: "That, pursuant to such regulations as the Secretary of the Navy may prescribe, the Superintendent of the United States Naval Postgraduate School is authorized, upon due accreditation from time to time by the appropriate professional authority of the applicable curriculum of such school leading to bachelors of science, masters

Authority to confer certain degrees.

or doctors degrees in engineering or related fields, to confer such degree or degrees on qualified graduates of such school."

SEC. 8. There is hereby authorized to be appropriated such amounts as may be necessary for the postgraduate school to carry out its functions as provided herein.

Approved July 31, 1947.

Appropriation authorized.

[CHAPTER 421]

AN ACT

To provide for the loan or gift of obsolete ordnance to State homes for former members of the armed forces.

July 31, 1947  
[H. R. 3127]  
[Public Law 304]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act entitled "An Act to authorize the Secretary of War and the Secretary of the Navy to make certain disposition of condemned ordnance, guns, and cannon balls in their respective Departments", approved May 22, 1896, as amended (U. S. C., 1940 edition, title 50, sec. 67), is amended by striking out "State museums, and incorporated museums operated and maintained for educational purposes only, whose charter denies them the right to operate for profit, municipal corporations" and inserting in lieu thereof "State museums, and incorporated museums, operated and maintained for educational purposes only, whose charter denies them the right to operate for profit, State homes for former members of the armed forces, municipal corporations".

Loan or gift of condemned or obsolete ordnance.

29 Stat. 133.

Approved July 31, 1947.

[CHAPTER 425]

AN ACT

To amend the provisions of the Agricultural Adjustment Act relating to marketing agreements and orders.

August 1, 1947  
[H. R. 462]  
[Public Law 305]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Agricultural Adjustment Act, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is further amended as follows:

By adding at the end of section 2 (U. S. C., 1940 edition, title 7, sec. 602) the following:

"(3) Through the exercise of the powers conferred upon the Secretary of Agriculture under this title, to establish and maintain such minimum standards of quality and maturity and such grading and inspection requirements for agricultural commodities enumerated in section 8c (2), other than milk and its products, in interstate commerce as will effectuate such orderly marketing of such agricultural commodities as will be in the public interest."

Agricultural Adjustment Act, amendments.

49 Stat. 31; 50 Stat.

246.

7 U. S. C. § 601 *et*

*seq.*

*Ante*, p. 208; *post*,

pp. 709, 710.

Standards of quality, etc., in interstate commerce.

49 Stat. 754.

7 U. S. C. § 608c(2).

*Post*, p. 710.

49 Stat. 755.

SEC. 2. Section 8c (6), as amended (U. S. C., 1940 edition, title 7, sec. 608c (6)), is amended to read as follows:

"(6) In the case of fruits (including pecans and walnuts but not including apples, other than apples produced in the States of Washington, Oregon, and Idaho, and not including fruits, other than olives, for canning or freezing) and their products, tobacco and its products, vegetables (not including vegetables, other than asparagus, for canning or freezing) and their products, soybeans and their products, hops and their products, honeybees, and naval stores as included in the Naval Stores Act and standards established thereunder (including refined or partially refined oleoresin), orders issued pursuant to this section shall contain one or more of the following terms and conditions, and (except as provided in subsection (7)) no others:

Orders regulating handling of commodities.  
Terms and conditions.

42 Stat. 1435.

7 U. S. C. §§ 91-99.



Limiting of quantity handlers may market.

“(A) Limiting, or providing methods for the limitation of, the total quantity of any such commodity or product, or of any grade, size, or quality thereof, produced during any specified period or periods, which may be marketed in or transported to any or all markets in the current of interstate or foreign commerce or so as directly to burden, obstruct, or affect interstate or foreign commerce in such commodity or product thereof, during any specified period or periods by all handlers thereof.

Allotting of amount handler may purchase.

“(B) Allotting, or providing methods for allotting, the amount of such commodity or product, or any grade, size, or quality thereof, which each handler may purchase from or handle on behalf of any and all producers thereof, during any specified period or periods, under a uniform rule based upon the amounts sold by such producers in such prior period as the Secretary determines to be representative, or upon the current quantities available for sale by such producers, or both, to the end that the total quantity thereof to be purchased, or handled during any specified period or periods shall be apportioned equitably among producers.

Allotting of amount handler may market, etc.

“(C) Allotting, or providing methods for allotting, the amount of any such commodity or product, or any grade, size, or quality thereof, which each handler may market in or transport to any or all markets in the current of interstate or foreign commerce or so as directly to burden, obstruct, or affect interstate or foreign commerce in such commodity or product thereof, under a uniform rule based upon the amounts which each such handler has available for current shipment, or upon the amounts shipped by each such handler in such prior period as the Secretary determines to be representative, or both, to the end that the total quantity of such commodity or product, or any grade, size, or quality thereof, to be marketed in or transported to any or all markets in the current of interstate or foreign commerce or so as directly to burden, obstruct, or affect interstate or foreign commerce in such commodity or product thereof, during any specified period or periods shall be equitably apportioned among all of the handlers thereof.

Determining extent of surplus, etc.

“(D) Determining, or providing methods for determining, the existence and extent of the surplus of any such commodity or product, or of any grade, size, or quality thereof, and providing for the control and disposition of such surplus, and for equalizing the burden of such surplus elimination or control among the producers and handlers thereof.

Establishing of reserve pools, etc.

“(E) Establishing or providing for the establishment of reserve pools of any such commodity or product, or of any grade, size, or quality thereof, and providing for the equitable distribution of the net return derived from the sale thereof among the persons beneficially interested therein.

Inspection.

“(F) Requiring or providing for the requirement of inspection of any such commodity or product produced during specified periods and marketed by handlers.

Hops, etc.

“(G) In the case of hops and their products, in addition to, or in lieu of, the foregoing terms and conditions, orders may contain one or more of the following:

Limiting of quantity for handlers, etc.

“(i) Limiting, or providing methods for the limitation of, the total quantity thereof, or of any grade, type, or variety thereof, produced during any specified period or periods, which all handlers may handle in the current of or so as directly to burden, obstruct, or affect interstate or foreign commerce in hops or any product thereof.

Apportioning of quantity among producers.

“(ii) Apportioning, or providing methods for apportioning, the total quantity of hops of the production of the then current calendar year permitted to be handled equitably among all producers in the

production area to which the order applies upon the basis of one or more or a combination of the following: The total quantity of hops available or estimated will become available for market by each producer from his production during such period; the normal production of the acreage of hops operated by each producer during such period upon the basis of the number of acres of hops in production, and the average yield of that acreage during such period as the Secretary determines to be representative, with adjustments determined by the Secretary to be proper for age of plantings or abnormal conditions affecting yield; such normal production or historical record of any acreage for which data as to yield of hops are not available or which had no yield during such period shall be determined by the Secretary on the basis of the yields of other acreage of hops of similar characteristics as to productivity, subject to adjustment as just provided for.

“(iii) Allotting, or providing methods for allotting, the quantity of hops which any handler may handle so that the allotment fixed for that handler shall be limited to the quantity of hops apportioned under preceding section (ii) to each respective producer of hops; such allotment shall constitute an allotment fixed for that handler within the meaning of subsection (5) of section 8a of this title (U. S. C., 1940 edition, title 7, sec. 608a).”

SEC. 3. Section 10 (b) (2) (U. S. C., 1940 edition, title 7, sec. 610 (b) (2)) is amended to read as follows:

“(2) (i) Each order relating to milk and its products issued by the Secretary under this title shall provide that each handler subject thereto shall pay to any authority or agency established under such order such handler's pro rata share (as approved by the Secretary) of such expenses as the Secretary may find will necessarily be incurred by such authority or agency, during any period specified by him, for the maintenance and functioning of such authority or agency, other than expenses incurred in receiving, handling, holding, or disposing of any quantity of milk or products thereof received, handled, held, or disposed of by such authority or agency for the benefit or account of persons other than handlers subject to such order. The pro rata share of the expenses payable by a cooperative association of producers shall be computed on the basis of the quantity of milk or product thereof covered by such order which is distributed, processed, or shipped by such cooperative association of producers.

“(ii) Each order relating to any other commodity or product issued by the Secretary under this title shall provide that each handler subject thereto shall pay to any authority or agency established under such order such handler's pro rata share (as approved by the Secretary) of such expenses as the Secretary may find are reasonable and are likely to be incurred by such authority or agency, during any period specified by him, for such purposes as the Secretary may, pursuant to such order, determine to be appropriate, and for the maintenance and functioning of such authority or agency, other than expenses incurred in receiving, handling, holding, or disposing of any quantity of a commodity received, handled, held, or disposed of by such authority or agency for the benefit or account of persons other than handlers subject to such order. The pro rata share of the expenses payable by a cooperative association of producers shall be computed on the basis of the quantity of the agricultural commodity or product thereof covered by such order which is distributed, processed, or shipped by such cooperative association of producers. The payment of assessments for the maintenance and functioning of such authority or agency, as provided for herein, may be required under a marketing agreement or marketing order throughout the period the marketing agreement or

48 Stat. 674.

49 Stat. 767.

Milk, etc.  
Payment of handler's pro rata share of expenses.

Computation of pro rata share payable by producers.

Other commodities, etc.  
Payment of handler's pro rata share of expenses.

Computation of pro rata share payable by producers.

Payment of assessments.

order is in effect and irrespective of whether particular provisions thereof are suspended or become inoperative.

Maintenance of suit  
by agency, etc.

“(iii) Any authority or agency established under an order may maintain in its own name, or in the name of its members, a suit against any handler subject to an order for the collection of such handler’s pro rata share of expenses. The several district courts of the United States are hereby vested with jurisdiction to entertain such suits regardless of the amount in controversy.”

49 Stat. 754.

SEC. 4. Section 8c (2) (U. S. C., 1940 edition, title 7, sec. 608c (2)) is amended by inserting the words “or freezing” immediately after the word “canning” wherever said word “canning” appears in said section.

Approved August 1, 1947.

# [CHAPTER 426]

## AN ACT

August 1, 1947  
[H. R. 1544]  
[Public Law 306]

To provide appropriate lapel buttons for widows, parents, and next of kin of members of the armed forces who lost their lives in the armed services of the United States in World War II.

Gold star lapel but-  
ton.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War and the Secretary of the Navy, acting jointly, shall formulate and fix the size, design, and composition of a lapel button (to be known as the “gold star lapel button”) suitable as a means of identification for widows and parents of members of the armed forces of the United States who lost their lives in the armed services of the United States in World War II. The Secretary of War and the Secretary of the Navy shall procure for their respective departments such number of gold star lapel buttons as shall be necessary to effect distribution of such buttons in accordance with the provisions of this Act.

Procurement.

Furnishing of but-  
tons to widows, par-  
ents, etc.

SEC. 2. (a) Upon application to the Department of War or the Department of the Navy, as the case may be, one such gold star lapel button shall be furnished, without cost, to the widow and to each of the parents of a member of the armed forces of the United States who lost his life in the armed services of the United States in World War II.

(b) In addition to the gold star lapel button furnished in subsection (a) of this section, gold star lapel buttons shall also be furnished, upon application and the payment of an amount sufficient to cover the cost of manufacture and distribution, to the next of kin of any such deceased person, not hereinbefore designated. No such lapel button shall be sold to any person who has been furnished a lapel button under subsection (a), and not more than one button shall be sold to any one person.

Restrictions.

Distribution.

(c) Gold star lapel buttons shall be distributed in accordance with rules and regulations prescribed jointly by the Secretary of War and the Secretary of the Navy.

“Widow.”

“Parents.”

“Next of kin.”

“Children.”

SEC. 3. As used in this Act, (a) the term “widow” shall include widower; (b) the term “parents” shall include mother, father, step-mother, stepfather, mother through adoption, and father through adoption; (c) the term “next of kin” shall include only children, brothers, sisters, half brothers and half sisters; and (d) the term “children” shall include stepchildren and children through adoption.

Penalty for unlaw-  
ful use, etc.

SEC. 4. Whoever shall (1) wear, display on his person, or otherwise use as an insignia, any gold star lapel button issued to another person under the provisions of this Act; (2) falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or aid in falsely making, forging, or counterfeiting any lapel button issued under this Act; or (3) sell or bring into the United States, or any place subject to the jurisdiction thereof, from any foreign place, or have in his possession, any such false, forged, or counterfeited lapel

button, shall be fined not more than \$1,000 or imprisoned not more than two years, or both.

SEC. 5. Such sums are hereby authorized to be appropriated as may be necessary to carry out the purposes of this Act.

Approved August 1, 1947.

Appropriations authorized.

[CHAPTER 427]

AN ACT

To amend section 16 of chapter V of the Act of June 19, 1934, entitled "An Act to regulate the business of life insurance in the District of Columbia."

August 1, 1947  
[H. R. 1633]  
[Public Law 307]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 16 of Chapter V of the Act of June 19, 1934, entitled "An Act to regulate the business of life insurance in the District of Columbia", be amended to read as follows:

Life insurance, D.C.  
48 Stat. 1175.  
D. C. Code § 35-716.

"SEC. 16. RIGHTS OF CREDITORS AND BENEFICIARIES UNDER POLICIES OF LIFE INSURANCE.—When a policy of insurance, whether heretofore or hereafter issued, is effected by any person on his own life or on another life in favor of some person other than himself having an insurable interest therein, or, except in cases of transfer with intent to defraud creditors, if a policy of life insurance is assigned or in any way made payable to any such person, the lawful beneficiary or assignee thereof, other than the insured or the person so effecting such insurance or executors or administrators of such insured or the person so effecting such insurance, shall be entitled to its proceeds and avails against the creditors and representatives of the insured and of the person effecting such insurance whether or not the right to change the beneficiary is reserved or permitted and whether or not the policy is made payable to the person whose life is insured, if the beneficiary or assignee shall predecease such person: *Provided*, That subject to the statute of limitations the amount of any premiums for said insurance paid with intent to defraud creditors, with interest thereon, shall inure to their benefit from the proceeds of the policy, but the company issuing the policy shall be discharged of all liability thereon by payment of its proceeds in accordance with its terms, unless before such payment the company shall have written notice by or in behalf of a creditor of a claim to recover for transfer made or premiums paid with intent to defraud creditors with specifications of the amount claimed."

Premiums paid with intent to defraud creditors.

Approved August 1, 1947.

[CHAPTER 428]

AN ACT

To amend section 7 of the Act entitled "An Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes", approved July 1, 1902, as amended.

August 1, 1947  
[H. R. 2173]  
[Public Law 308]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 7 of the Act entitled "An Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes", approved July 1, 1902, as amended, is hereby amended by adding paragraph 44A.

District of Columbia.  
Undertakers.

32 Stat. 628.  
D. C. Code § 47-2343.

Issuance of license.

"PAR. 44A. (a) On and after ninety days from the enactment of this paragraph, no person shall, in the District of Columbia, discharge any of the duties, of an undertaker, unless there has been issued to him by the Commissioners of the District of Columbia a license therefor

Fee.	in full force and effect. The fee for such license shall be \$20 per annum, which shall be paid to the Collector of Taxes of the District of Columbia. Such license shall be issued at the time and in the manner provided in paragraph numbered 5 of this section.
Qualifications of applicant.	“(b) An applicant for a license shall submit proof satisfactory to the Commissioners, on such forms as the Commissioners may prescribe, that he is not less than twenty-one years of age, a citizen of the United States, of good moral character; that he is a graduate of a recognized high school or educational equivalent; that he is a graduate of a school or college of embalming, whose course of instruction is not less than nine months, comprising not less than eight hundred and forty hours of study, and that he has had not less than two years’ practical experience in the business or profession. Such applicant shall be examined theoretically and practically in anatomy, embalming, embalming fluids, sanitation, disinfection, the care and preparation of dead human bodies for burial and the shipment of same, laws and regulations pertaining to communicable diseases, and such other subjects as the Commissioners deem appropriate and proper.
Examination.	“An examination of applicants for a license shall be held not less frequently than once each year at such time and place as the Commissioners shall determine; notice of such examination shall be given at least thirty days prior to the date set therefor.
Persons entitled to license without examination.	“(c) Every person, who, at the time of enactment of this paragraph, is registered as an undertaker with the Health Department of the District of Columbia and who was actually engaged, at any time during the five-year period immediately preceding the date of enactment of this paragraph, in discharging the duties of an undertaker and who desires to continue to discharge such duties shall be entitled to a license therefor without examination upon application therefor and upon furnishing proof satisfactory to the Commissioners that he was so registered and so discharging such duties; that he is not less than twenty-one years of age, a citizen of the United States, of good moral character; and that he is a graduate of a school or college of embalming whose course of instruction is not less than nine months, comprising not less than eight hundred and forty hours of study, or that he has had actual experience equivalent thereto; and upon payment of the license fee hereinbefore provided.
Authority of Commissioners.	“(d) The Commissioners are hereby authorized:
Refusal to issue or renew license, etc.	“(1) After notice and open hearing, to refuse to issue or renew or to suspend or revoke a license for fraud or misrepresentation in the application therefor, or for misconduct during an examination therefor, or for any act or practice detrimental to the public health or safety, including the act of removing a dead human body without the prior consent of a person who, under the law, is authorized to give such consent, or for violation of the laws and regulations of the District of Columbia relating to the removal or burial or disposal of dead human bodies or the provisions of this paragraph or of the rules and regulations hereinafter authorized to be promulgated, or for conviction of a felony as shown by a certified copy of the record of the court of conviction.
Appointment of committee to conduct examinations, etc.	“(2) To appoint a committee of five persons of good moral character, two of whom shall have been actually and continuously engaged in discharging the duties of an undertaker or embalmer in the District of Columbia for at least five years next preceding their appointment and the Health Officer of the District of Columbia, or a member of the personnel of the Health Department designated by said Health Officer, who shall serve ex officio as a member of said committee, to

conduct the examination of applicants for a license hereinbefore provided; the appointment of each such person shall be for a period of one year unless sooner terminated by the Commissioners for cause; such appointees, except the Health Officer or person designated by him, shall be entitled to a per diem of \$10 for each day they are actually engaged in discharging their duties pursuant to this paragraph.

“(3) To issue licenses without examination to persons licensed by other Territories and States upon the same terms and conditions as such States and Territories issue licenses without examination to persons licensed by the District of Columbia.

“(4) To prescribe the terms, conditions, and license fee, not to exceed \$10 per annum, under which apprenticeship shall be served.

“(5) To employ, and provide for necessary travel, in accordance with the Classification Act of 1923, as amended, such additional employees as may be necessary and to make such expenditures as may be necessary for the proper enforcement of the provisions of this paragraph and the rules and regulations promulgated by authority thereof. There is hereby authorized to be appropriated, out of any moneys in the Treasury of the United States to the credit of the District of Columbia not otherwise appropriated, funds to carry out the provisions of this paragraph.

“(6) To promulgate and enforce, and from time to time to alter, such rules and regulations, not inconsistent with the provisions of this paragraph, as they deem necessary, for the proper execution and enforcement of the provisions of this paragraph.

“(7) To designate as their agent, for the purpose of carrying out the provisions of this paragraph, the Health Officer of the District of Columbia.

“(e) The provisions of paragraph numbered 1 of this section relative to the assignment or transfer of a license and the provisions of paragraph numbered 7 of this section relative to the definition of the word ‘person’ shall not apply to licenses issued under the provisions of this paragraph. The word ‘person’ as used in this paragraph shall be construed to mean a natural person only, and licenses issued under the provisions of this paragraph shall not be assignable or transferable.

“(f) As used in this paragraph the term ‘undertaker’ includes a funeral director, mortician, embalmer, and any person who performs services with respect to the care and preparation of dead human bodies for burial or cremation.”

Approved August 1, 1947.

#### [CHAPTER 429]

#### AN ACT

To extend for three months the provisions of the District of Columbia Emergency Rent Act, approved December 2, 1941, as amended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1 (b) of the Act entitled “An Act to regulate rents in the District of Columbia, and for other purposes”, approved December 2, 1941, as amended (D. C. Code, 1940 edition, sec. 45-1601), is hereby amended by striking out “December 31, 1947” and inserting in lieu thereof “March 31, 1948”.

Approved August 1, 1947.

Issuance of licenses without examination.

42 Stat. 1488.  
5 U. S. C. §§ 661-674.

Appropriations authorized.

Rules and regulations.

Designation of agent.

Nonapplicability.

“Person.”

“Undertaker.”

August 1, 1947  
[H. R. 3131]  
[Public Law 309]

Post, p. 721.

55 Stat. 788.  
D. C. Code, Supp.  
V, § 45-1601.

## [CHAPTER 430]

## AN ACT

To amend section 251 of the Internal Revenue Code.

August 1, 1947  
[H. R. 3444]

[Public Law 310]

53 Stat. 79.  
26 U. S. C. § 251.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 251 of the Internal Revenue Code (relating to income from sources within possessions of the United States) is hereby amended by adding at the end thereof a new subsection to read as follows:

“(i) PRISONERS OF WAR AND INTERNEES.—In the case of a citizen of the United States taken as a prisoner of war while serving within a possession of the United States as a member of the military or naval forces of the United States, and in the case of a citizen interned by the enemy while serving as an employee within a possession of the United States—

“(1) if such citizen was confined in any place not within a possession of the United States, such place of confinement shall, for the purposes of this section, be considered as within a possession of the United States; and

“(2) any compensation received within the United States by such citizen attributable to the period of time during which such citizen was a prisoner of war or interned by the enemy shall, for the purposes of subsection (b), be considered as compensation received outside the United States.”

Applicability.

SEC. 2. The amendment made by this Act shall be applicable to taxable years beginning after December 31, 1941.

Approved August 1, 1947.

## [CHAPTER 431]

## AN ACT

To amend the Federal Home Loan Bank Act, and for other purposes.

August 1, 1947  
[H. R. 3448]

[Public Law 311]

47 Stat. 732; 49 Stat.  
295.  
12 U. S. C. § 1430 (b).

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subsection (b) of section 10 of the Federal Home Loan Bank Act is hereby amended by striking the words “twenty years” appearing in the first sentence thereof, and inserting in lieu thereof the words “twenty-five years”.

Approved August 1, 1947.

## [CHAPTER 432]

## AN ACT

Relating to the sale of the Mission Point Lighthouse Reservation, Grand Traverse County, Michigan.

August 1, 1947  
[H. R. 3619]

[Public Law 312]

58 Stat. 765.  
50 U. S. C. app.  
§§ 1611-1646.  
*Ante*, p. 678.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the provisions of the Surplus Property Act of 1944 or of any other law, the Federal Works Administrator is hereby authorized, in his discretion, to sell for use as a public park all that tract or parcel of land lying in lots 1 and 2 of section 23, township 30 north, range 10 west, in the county of Grand Traverse and State of Michigan, containing five and thirty-eight one-hundredths acres of land, more or less, together with all buildings, structures, and improvements thereon (known as the Mission Point Lighthouse Reservation), in the manner and subject to the terms and conditions provided in the Act entitled “An Act to authorize the sale of Federal buildings”, approved August 26, 1935 (U. S. C., 1940 edition, title 40, sec. 345b).

49 Stat. 800.

Approved August 1, 1947.

## [CHAPTER 433]

## AN ACT

To authorize the creation of additional positions in the professional and scientific service in the War and Navy Departments.

August 1, 1947  
[H. R. 4084]

[Public Law 313]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War is authorized to establish and fix the compensation for, within the War Department, not more than thirty positions, and the Secretary of the Navy is authorized to establish and fix the compensation for, within the Naval Establishment, not more than fifteen positions in the professional and scientific service, each such position being established to effectuate those research and development functions, relating to the national defense, military and naval medicine, and any and all other activities of the War Department or Naval Establishment which require the services of specially qualified scientific or professional personnel: *Provided*, That the rates of compensation for positions established pursuant to the provisions of this Act shall not be less than \$10,000 per annum nor more than \$15,000 per annum, and shall be subject to the approval of the Civil Service Commission.

War and Navy Departments.  
Professional and scientific service.

Compensation.

SEC. 2. Positions created pursuant to this Act shall be included in the classified civil service of the United States, but appointments to such positions shall be made without competitive examination upon approval of the proposed appointee's qualifications by the Civil Service Commission or such officers or agents as it may designate for this purpose.

Appointments without competitive examination.

SEC. 3. The Secretary of War and the Secretary of the Navy, respectively, shall submit to the Congress, not later than December 31 of each year, a report setting forth the number of positions established pursuant to this Act in their respective departments during that calendar year, and the name, rate of compensation, and description of the qualifications of each incumbent, together with a statement of the functions performed by each. In any instance where the Secretary of War or the Secretary of the Navy may consider full public report on these items detrimental to the national security, he is authorized to omit such items from his annual report and, in lieu thereof, to present such information in executive sessions of such committees of the Senate and House of Representatives as the presiding officers of those bodies shall designate.

Report to Congress.

Approved August 1, 1947.

## [CHAPTER 434]

## AN ACT

To amend section 1 of the Act of July 20, 1942 (56 Stat. 662), as amended, relating to the acceptance of decorations, orders, medals, and emblems by officers and enlisted men of the armed forces of the United States tendered them by governments of cobelligerent nations, neutral nations, or other American Republics.

August 1, 1947  
[H. R. 4308]

[Public Law 314]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1 of the Act of July 20, 1942, as amended (title 10, U. S. C., sec. 1423a), is hereby amended to read as follows:

*Ante*, pp. 93, 453.

"Officers and enlisted men of the armed forces of the United States and former officers and enlisted men of the armed forces of the United States holding any office of profit or trust under the United States be, and they are hereby, authorized, during the present war and for a year thereafter, to accept from the governments of cobelligerent nations, neutral nations, or the other American Republics such decorations, orders, medals, and emblems as may be tendered them, and which are conferred by such governments upon members of their own military

Acceptance by members of armed forces of decorations from certain foreign governments.



1 Stat. 15.  
Wearing of decorations.

forces, hereby expressly granting the consent of Congress required for this purpose by clause 8 of section 9, article I, of the Constitution: *Provided*, That any such officer or enlisted man or any such former officer or former enlisted man holding any office of profit or trust under the United States is hereby authorized to wear any decoration, order, medal, or emblem accepted pursuant to authority contained in this Act, or heretofore accepted by such persons from the government of a cobelligerent nation, neutral nation, or of an American Republic."

Approved August 1, 1947.

[CHAPTER 435]

JOINT RESOLUTION

To amend paragraph 1772 of the Tariff Act of 1930.

August 1, 1947  
[H. J. Res. 238]  
[Public Law 315]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That paragraph 1772 of the Tariff Act of 1930 is hereby amended to read as follows:

46 Stat. 681.  
19 U. S. C. § 1201,  
par. 1772.

"PAR. 1772. Standard newsprint paper. For the purposes of this paragraph (but only until July 1, 1948, in the case of paper in rolls of less than 15 inches in width) paper which is in rolls not less than 9 inches in width shall be deemed to be standard newsprint paper insofar as width of rolls is concerned."

Approved August 1, 1947.

[CHAPTER 436]

AN ACT

To amend section 200 of Public Law 844, Seventy-fourth Congress, June 29, 1936, to permit recognition of officers and enlisted men retired from the military and naval forces of the United States as representatives of certain organizations in the presentation of claims to the Veterans' Administration.

August 1, 1947  
[H. R. 3546]  
[Public Law 316]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 200 of Public Law 844, Seventy-fourth Congress, approved June 29, 1936, is hereby amended by adding at the end thereof the following:

49 Stat. 2031.  
38 U. S. C. § 101.

Presentation of  
claims to Veterans'  
Administration.

"Retired officers and enlisted men of the Army, Navy, Marine Corps, and Coast Guard of the United States, while not on active duty, shall not by reason of their status as such be subject to the provisions of sections 109 and 113 of the Criminal Code (18 U. S. C. 198 and 203) and section 190 of the Revised Statutes (5 U. S. C. 99) in the presentation of claims under statutes administered by the Veterans' Administration as accredited representatives of an organization specified in or recognized under this section."

Approved August 1, 1947.

35 Stat. 1107, 1109.

[CHAPTER 437]

AN ACT

To extend the period for providing assistance for certain war-incurred school enrollments.

August 1, 1947  
[H. R. 3682]  
[Public Law 317]

Contributions for  
operation, etc., of  
school facilities.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in order to enable authorities which are still overburdened with war-incurred school enrollments to meet their needs during the transition from war to peacetime conditions, the Federal Works Administrator is authorized to continue to make during the fiscal year ending June 30, 1948, contributions for the operation and maintenance of school facilities

to local school agencies requiring assistance that have received during the fiscal year ending June 30, 1947, Federal contributions administered by him for the maintenance and operation of their school facilities. Appropriations and existing appropriations heretofore authorized (to the Federal Works Administrator) for similar purposes are hereby authorized to carry out the purposes of this Act. The amount hereinbefore authorized shall not exceed the sum of \$5,000,000 for the year ending June 30, 1948.

Approved August 1, 1947.

Appropriations au-  
thorized.  
Ante, p. 697.

[CHAPTER 438]

AN ACT

To provide for the orderly transaction of the public business in the event of the death, resignation, or separation from office of regional disbursing officers of the Treasury Department.

August 1, 1947  
[S. 907]

[Public Law 318]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act entitled "An Act to provide for the orderly transaction of the public business in the event of the death or of the resignation or separation from office of the Chief Disbursing Officer", approved December 24, 1942 (56 Stat. 1086; U. S. C., 1940 edition, Supp. V, title 5, sec. 249b), is hereby amended to read as follows:

Treasury Depart-  
ment.  
Chief Disbursing  
Officer or regional dis-  
bursing officer.

"That in case of the death or of the resignation or separation from office of the Chief Disbursing Officer or any regional disbursing officer of the Division of Disbursement, Treasury Department, the accounts of such Chief Disbursing Officer or regional disbursing officer may be continued and payments made in his name by an Assistant Chief Disbursing Officer designated by the Secretary of the Treasury or by an assistant regional disbursing officer designated by the Secretary of the Treasury or designated by an official of the Treasury Department authorized by the Secretary of the Treasury to make such designation, for a period of time not to extend beyond the last day of the second month following the month in which such death, resignation, or separation shall occur. Such accounts and payments shall be allowed, audited, and settled in the General Accounting Office, and the checks signed in the name of the former Chief Disbursing Officer or regional disbursing officer shall be honored by the Treasurer of the United States, in the same manner as if the former Chief Disbursing officer or regional disbursing officer had continued in office. The former Chief Disbursing Officer or regional disbursing officer, his estate, or the surety on his official bond, shall not be subject to any legal liability or penalty for the official acts and defaults of the Assistant Chief Disbursing Officer or assistant regional disbursing officer acting in the name or in the place of the former Chief Disbursing Officer or regional disbursing officer under this Act, but the Assistant Chief Disbursing Officer or the assistant regional disbursing officer, and his surety, shall be responsible therefor under his bond. The bond of the Acting Chief Disbursing Officer or acting regional disbursing officer shall be an amount at least equal to the minimum amount of the bond required of the Chief Disbursing Officer or the regional disbursing officer, respectively. The Secretary of the Treasury may, from time to time, require the Assistant Chief Disbursing Officer, or the assistant regional disbursing officer, to renew and increase his bond to the United States."

Continuation of ac-  
counts in case of  
death, etc.

Liability for official  
acts.

Bond.

Approved August 1, 1947.

## [CHAPTER 439]

## AN ACT

To authorize conversions of certain naval vessels.

August 1, 1947  
[S. 1215]  
[Public Law 319]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purpose of improving the military characteristics of combatant and auxiliary vessels of the United States Navy, the President of the United States is hereby authorized to convert such vessels as he may consider best suited for the purposes of national defense without limitation on expenditures for any one vessel within the total sum appropriated for the purpose.

Approved August 1, 1947.

## [CHAPTER 440]

## AN ACT

To amend the Federal Crop Insurance Act.

August 1, 1947  
[S. 1326]  
[Public Law 320]

52 Stat. 74.  
7 U. S. C. § 1508 (a).

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subsection (a) of section 508 of the Federal Crop Insurance Act, as amended, is amended to read as follows:

Reinsurance for private insurance companies.

Insurance against loss in yield.

Reduction of maximum percentage.

Losses due to neglect, etc.

Insurance in 1948.

“(a) Commencing with crops planted for harvest in 1948, for the purpose of determining the most practical plan, terms, and conditions of insurance for agricultural commodities, if sufficient actuarial data are available, as determined by the Board, to insure, or to reinsure insurers of, producers of such agricultural commodities under any plan or plans of insurance determined by the Board to be adapted to any such commodity: *Provided*, That reinsurance for private insurance companies shall be limited to contracts covering farms in not to exceed twenty counties selected by the Board. Such insurance shall be against loss of the insured commodity while in the field due to unavoidable causes, including drought, flood, hail, wind, frost, winter-kill, lightning, fire, excessive rain, snow, wildlife, hurricane, tornado, insect infestation, plant disease, and such other unavoidable causes as may be determined by the Board. Any insurance offered against loss in yield shall not cover in excess of 75 per centum of the recorded or appraised average yield of the commodity on the insured farm for a representative period subject to such adjustments as the Board may prescribe to the end that the average yields fixed for farms in the same area, which are subject to the same conditions, may be fair and just: *Provided*, That, if 75 per centum of the average yield represents generally more protection than the investment in the crop in any area, taking into consideration recognized farming practices, the Board shall reduce such maximum percentage so as more nearly to reflect the investment in the crop in such area. Insurance provided under this subsection shall not cover losses due to the neglect or malfeasance of the producer, or to the failure of the producer to reseed to the same crop in areas and under circumstances where it is customary to so reseed, or to the failure of the producer to follow established good farming practices. In 1948 insurance shall be limited to not more than seven crops (including wheat, cotton, flax, corn, and tobacco) and to not more than three additional crops in each year thereafter. Insurance provided for any agricultural commodity, except wheat, cotton, flax, corn, and tobacco, shall be limited to producers in not to exceed twenty counties. Insurance for wheat, cotton, corn, flax, and tobacco shall be limited to producers in not to exceed two hundred counties in the case of wheat, fifty-six counties in the case of cotton, fifty counties each in the case of corn and flax, and thirty-five counties in the case of

tobacco. Counties selected by the Board shall be representative of the several areas where the agricultural commodity insured is normally produced. Insurance shall not be provided in any county unless written applications therefor are filed covering at least two hundred farms or one-third of the farms normally producing the agricultural commodity; nor shall insurance of any agricultural commodity be provided in any county in which the Board determines that the income from such commodity constitutes an unimportant part of the total agricultural income of the county. The Board may limit or refuse insurance in any county or area, or on any farm, on the basis of the insurance risk involved. The Corporation shall report annually to the Congress the results of its operations as to each commodity insured."

SEC. 2. Subsection (b) of section 508 of the Federal Crop Insurance Act, as amended, is amended by striking out the period at the end of the first sentence and inserting in lieu thereof a colon and the following: "*Provided*, That such premiums may be established on the basis of the parity or comparable price for the commodity as determined and published by the Secretary of Agriculture, or on the basis of an average market price designated by the Board."

52 Stat. 74.  
7 U. S. C. § 1508 (b).

Premiums.

SEC. 3. Subsection (c) of section 508 of the Federal Crop Insurance Act, as amended, is amended by striking out in the first sentence "however," and inserting in lieu thereof "That indemnities may be determined on the same price basis as premiums are determined for the crop with respect to which such indemnities are paid: *Provided*, further,".

52 Stat. 74.  
7 U. S. C. § 1508 (c).

Indemnities.

SEC. 4. Section 502 of the Federal Crop Insurance Act, as amended, is amended to read as follows:

52 Stat. 72.  
7 U. S. C. § 1502.

Purpose of title.

"SEC. 502. It is the purpose of this title to promote the national welfare by improving the economic stability of agriculture through a sound system of crop insurance and providing the means for the research and experience helpful in devising and establishing such insurance."

SEC. 5. Nothing in this Act shall be construed to affect the validity of any insurance contract entered into prior to the enactment of this Act insofar as such contract covers the 1947 crop year. Any such contract which purports to cover a crop in the 1948 or any subsequent crop year in any county in which insurance on such crop will be discontinued pursuant to this Act is hereby terminated at the end of the 1947 crop year.

Validity of prior contract.

SEC. 6. Subsection (d) of section 507 of the Federal Crop Insurance Act, as amended, is amended by striking out the period at the end of the subsection and inserting a comma and the following: "except that employees or agencies responsible for administering this Act in each county shall be selected and designated by the Corporation and shall be responsible directly to the Corporation without the intervention of any intermediate office or agency."

52 Stat. 74.  
7 U. S. C. § 1507 (d).

Selection of employees, etc.

SEC. 7. Subsection (d) of section 506 of the Federal Crop Insurance Act is amended to read as follows:

52 Stat. 73.  
7 U. S. C. § 1506 (d).

*Supra*.

"(d) Subject to the provisions of section 508 (c), may sue and be sued in its corporate name in any court of record of a State having general jurisdiction, or in any United States district court, and jurisdiction is hereby conferred upon such district court to determine such controversies without regard to the amount in controversy: *Provided*, That no attachment, injunction, garnishment, or other similar process, mesne or final, shall be issued against the Corporation or its property."

SEC. 8. Section 505 of the Federal Crop Insurance Act, as amended, is amended to read as follows:

52 Stat. 72.  
7 U. S. C. § 1505.

Board of Directors.

"SEC. 505. (a) The management of the Corporation shall be vested in a Board of Directors (hereinafter called the 'Board') subject to

the general supervision of the Secretary of Agriculture. The Board shall consist of the manager of the Corporation, two other persons employed in the Department of Agriculture, and two persons experienced in the insurance business who are not otherwise employed by the Government. The Board shall be appointed by, and hold office at the pleasure of the Secretary of Agriculture, who shall not, himself, be a member of the Board.

Quorum.

“(b) Vacancies in the Board so long as there shall be three members in office shall not impair the powers of the Board to execute the functions of the Corporation, and three of the members in office shall constitute a quorum for the transaction of the business of the Board.

Compensation.

“(c) The Directors of the Corporation who are employed in the Department of Agriculture shall receive no additional compensation for their services as such Directors but may be allowed necessary traveling and subsistence expenses when engaged in business of the Corporation, outside of the District of Columbia. The members of the Board who are not employed by the Government shall be paid such compensation for their services as Directors as the Secretary of Agriculture shall determine, but such compensation shall not exceed \$100 per day each when actually employed and necessary traveling and subsistence expenses when engaged in business of the Corporation away from their homes or regular places of business.

Manager.

“(d) The manager of the Corporation shall be its chief executive officer, with such power and authority as may be conferred upon him by the Board. He shall be appointed by, and hold office at the pleasure of, the Secretary of Agriculture.”

Approved August 1, 1947.

#### [CHAPTER 441]

#### AN ACT

August 1, 1947

[S. 1350]

[Public Law 321]

To authorize relief of accountable officers of the Government, and for other purposes.

Relief of disbursing officers.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the General Accounting Office is authorized, after consideration of the pertinent findings and if in concurrence with the determinations and recommendations of the head of the department or independent establishment concerned, to relieve any disbursing or other accountable officer or agent or former disbursing or other accountable officer or agent of any such department or independent establishment of the Government charged with responsibility on account of physical loss or deficiency of Government funds, vouchers, records, checks, securities, or papers in his charge, if the head of the department or independent establishment determines (1) that such loss or deficiency occurred while such officer or agent was acting in the discharge of his official duties, or that such loss or deficiency occurred by reason of the act or omission of a subordinate of such officer or agent; and (2) that such loss or deficiency occurred without fault or negligence on the part of such officer or agent. This Act shall be applicable only to the actual physical loss or deficiency of Government funds, vouchers, records, checks, securities, or papers, and shall not include deficiencies in the accounts of such officers or agents resulting from illegal or erroneous payments.

Applicability.

SEC. 2. This Act shall not operate to repeal the provisions of the paragraph of the Act entitled “An Act making appropriations for the naval service for the fiscal year ending June 30, 1920, and for other purposes”, approved July 11, 1919, relating to relief of disbursing officers of the Navy (41 Stat. 132; U. S. C., title 31, sec. 105), and the Act entitled “An Act to authorize relief of disbursing officers of

the Army on account of loss or deficiency of Government funds, vouchers, records, or papers in their charge", approved December 13, 1944 (58 Stat. 800; U. S. C., title 31, sec. 95a).

Approved August 1, 1947.

## [CHAPTER 442]

## AN ACT

To amend the District of Columbia rent control law so as to provide that schools and universities may recover possession of housing accommodations in certain cases.

August 1, 1947

[S. 1590]

[Public Law 322]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That subsection (b) of section 5 of the Act entitled "An Act to regulate rents in the District of Columbia, and for other purposes", approved December 2, 1941, as amended, is amended by (1) striking out the period at the end of paragraph (5) and inserting in lieu thereof a comma and the word "or", and (2) adding at the end thereof a new paragraph as follows:

"(6) The landlord, being a recognized school or an accredited non-profit university, has a bona fide need for the premises for educational, research, administrative, or dormitory use."

Approved August 1, 1947.

D. C. Emergency  
Rent Act, amend-  
ment.  
*Ante*, p. 713.

56 Stat. 759.  
D. C. Code, Supp.  
V, § 45-1605 (b).

School or university.

## [CHAPTER 445]

## AN ACT

To amend the peanut marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended.

August 1, 1947

[H. R. 4124]

[Public Law 323]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 358 of the Agricultural Adjustment Act of 1938, as amended (U. S. C., title 7, sec. 1358), is amended by striking the last sentence of subsection (d) and inserting in lieu thereof the following: "The amount of the marketing quota for each farm shall be the actual production of the farm acreage allotment, and no peanuts shall be marketed under the quota for any farm other than peanuts actually produced on the farm."

SEC. 2. Section 359 of the Agricultural Adjustment Act of 1938, as amended (U. S. C., title 7, sec. 1359), is amended as follows:

(1) By changing the first sentence of subsection (a) to read as follows: "The marketing of any peanuts in excess of the marketing quota for the farm on which such peanuts are produced, or the marketing of peanuts from any farm for which no acreage allotment was determined, shall be subject to a penalty at a rate equal to 50 per centum of the basic rate of the loan (calculated to the nearest tenth of a cent) for farm marketing quota peanuts for the marketing year August 1-July 31."

(2) By striking out the last sentence of subsection (a) and inserting in lieu thereof the following: "Peanuts produced in a calendar year in which marketing quotas are in effect for the marketing year beginning therein shall be subject to such quotas even though the peanuts are marketed prior to the date on which such marketing year begins. If any producer falsely identifies or fails to account for the disposition of any peanuts, an amount of peanuts equal to the normal yield of the number of acres harvested in excess of the farm acreage allotment shall be deemed to have been marketed in excess of the marketing quota for the farm, and the penalty in respect thereof shall be paid and remitted by the producer. If any amount of peanuts produced on one farm is falsely identified by a representation that such peanuts

Marketing quotas  
for peanuts.

55 Stat. 88.

55 Stat. 90.

Marketing penal-  
ties.

were produced on another farm, the acreage allotments next established for both such farms shall be reduced by that percentage which such amount was of the respective farm marketing quotas, except that such reduction for any such farm shall not be made if the Secretary through the local committees finds that no person connected with such farm caused, aided, or acquiesced in such marketing; and if proof of the disposition of any amount of peanuts is not furnished as required by the Secretary, the acreage allotment next established for the farm on which such peanuts are produced shall be reduced by a percentage similarly computed."

(3) By striking subsection (b) and redesignating subsections (c), (d), (e), (f), and (g), as subsections (b), (c), (d), (e), and (f), respectively.

Approved August 1, 1947.

[CHAPTER 446]

AN ACT

To amend the Federal Tort Claims Act.

August 1, 1947

[H. R. 3690]

[Public Law 324]

60 Stat. 843.  
28 U. S. C. § 931(a).

Jurisdiction of district courts.

Liability of U. S.

Costs.

Effective date.  
60 Stat. 845.  
28 U. S. C. § 942.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 410 (a) of the Federal Tort Claims Act (Public Law 601, Seventy-ninth Congress, title IV) is hereby amended so that it shall read as follows:

"SEC. 410. (a) Subject to the provisions of this title, the United States district court for the district wherein the plaintiff is resident or wherein the act or omission complained of occurred, including the United States district courts for the Territories and possessions of the United States, sitting without a jury, shall have exclusive jurisdiction to hear, determine, and render judgment on any claim against the United States, for money only, accruing on and after January 1, 1945, on account of damage to or loss of property or on account of personal injury or death caused by the negligent or wrongful act or omission of any employee of the Government while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant for such damage, loss, injury, or death in accordance with the law of the place where the act or omission occurred. Subject to the provisions of this title, the United States shall be liable in respect of such claims, to the same claimants, in the same manner, and to the same extent, as a private individual under like circumstances, except that the United States shall not be liable for interest prior to judgment, or for punitive damages: *Provided, however,* That in any case wherein death was caused, where the law of the place where the act or omission complained of occurred, provides, or has been construed to provide, for damages only punitive in nature, the United States shall be liable for actual or compensatory damages, measured by the pecuniary injuries resulting from such death to the persons, respectively, for whose benefit the action was brought, in lieu thereof. Costs shall be allowed in all courts to the successful claimant to the same extent as if the United States were a private litigant, except that such costs shall not include attorneys' fees."

SEC. 2. This Act shall take effect as of August 2, 1946, and, notwithstanding the provisions of section 420 of the Federal Tort Claims Act, no claim which accrued on or after January 1, 1945, and prior to the date of enactment of this Act on account of death caused by the negligent or wrongful act or omission of any employee of the Gov-

ernment shall be barred by reason of such provisions if (a) the law of the place where such act or omission occurred provides, or has been construed to provide, only for damages punitive in nature, and (b) suit on such claim is instituted pursuant to part 3 of the Federal Tort Claims Act not later than August 2, 1948.

Approved August 1, 1947.

60 Stat. 843.  
28 U. S. C. §§ 931-934.  
*Ante*, p. 722.

## [CHAPTER 447]

## AN ACT

To amend section 14 of the Veterans' Preference Act of June 27, 1944 (58 Stat. 387).

August 4, 1947  
[S. 1494]  
[Public Law 325]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the first proviso of section 14 of the Veterans' Preference Act of 1944 (58 Stat. 387) is hereby amended to read as follows: "*Provided*, That such preference eligible shall have the right to make a personal appearance, or an appearance through a designated representative, in accordance with such reasonable rules and regulations as may be issued by the Civil Service Commission; after investigation and consideration of the evidence submitted, the Civil Service Commission shall submit its findings and recommendations to the proper administrative officer and shall send copies of the same to the appellant or to his designated representative, and it shall be mandatory for such administrative officer to take such corrective action as the Commission finally recommends".

Approved August 4, 1947.

5 U. S. C. § 863.  
Right of preference eligible to make personal appearance, etc.

## [CHAPTER 448]

## AN ACT

Relating to the sale of Paxon Field, Duval County, Florida.

August 4, 1947  
[S. 1582]  
[Public Law 326]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That notwithstanding the provisions of the Surplus Property Act of 1944 or of any other law, the Federal Works Administrator is hereby authorized, in his discretion, to sell all that tract or parcel of land described as part of the northwest quarter and the north half southwest quarter section 8, township 2 south, range 26 east, Duval County, Florida, described as follows:

58 Stat. 765.  
50 U. S. C. app. §§ 1611-1646.  
*Ante*, p. 678.

Beginning at an iron stake six hundred and seventy-two feet east of the northwest corner of section 8 and on the north line of said section; thence east one thousand three hundred and twenty-four and seven-tenths feet to an iron; thence south no degrees fifty minutes east three hundred and thirty feet to an iron; thence east six hundred and thirty feet to an iron, set in concrete on the west side of Melson Avenue; thence south no degrees fifty minutes east along west side of said avenue one thousand nine hundred and eight-five and two-tenths feet to an iron; thence west six hundred and thirty feet to an iron; thence south no degrees fifty minutes east three hundred feet to an iron on the north line of Louisa Street; thence west one thousand three hundred and sixty-one and one-tenth feet to an iron; thence north two thousand six hundred and sixteen and two-tenths feet to place of beginning, containing one hundred and nine and thirty-eight one-hundredths acres, more or less; also

Description.

Beginning at an iron, six hundred and seventy-two feet east and two thousand six hundred and seventy-six and two-tenths feet south of



the northwest corner of section 8; thence east one thousand nine hundred and ninety-two and two-tenths feet to a concrete monument on the west side of Melson Avenue; thence south zero degrees fifty minutes east along the west side of said avenue one thousand three hundred feet to an iron; thence west one thousand four hundred and eleven and three-tenths feet to an iron; thence north fifty feet to an iron; thence west six hundred feet to an iron; thence north one thousand two hundred and fifty feet to place of beginning, containing fifty-nine and eight-tenths acres, more or less, and being the same land as shown as tracts 1 and 2 on plat recorded in plat book 13, page 82, public records of said county, and containing one hundred and sixty-nine and eighteen one-hundredths acres, more or less; also

Part of south half southeast quarter southeast quarter northwest quarter, section 8, township 2 south, range 26 east, Duval County, Florida, bounded and described as follows: Beginning at a stone monument at the northwest corner of section 8, township 2 south, range 26 east; thence along west line of said section 8, south one degree sixteen minutes east two thousand six hundred and forty-six and four-tenths feet to a point; thence east one thousand nine hundred and seventy-four and three-tenths feet to a point; thence north zero degrees fifty minutes west thirty feet to an iron stake in the north line of Louisa Street for a place of beginning of lands to be described; from said place of beginning run east along the north line of Louisa Street six hundred and thirty feet to an iron stake in the west line of Melson Avenue; thence along the west line of Melson Avenue north zero degrees fifty minutes west three hundred feet to an iron stake; thence west six hundred and thirty feet to an iron stake; thence south zero degrees fifty minutes east three hundred feet to place of beginning.

Recorded in deed book 700, at page 497, of the current public records of Duval County, Florida, containing one hundred and eighty acres of land, more or less, together with all buildings, structures, and improvements thereon (known as Paxon Field), in the manner and subject to the terms and conditions provided in the Act entitled "An Act to authorize the sale of Federal buildings", approved August 26, 1935 (U. S. C., 1940 edition, title 40, sec. 345b).

Approved August 4, 1947.

49 Stat. 800.

#### [CHAPTER 449]

#### JOINT RESOLUTION

To establish a commission to formulate plans for the erection, in Grant Park, Chicago, Illinois, of a Marine Corps memorial.

August 4, 1947  
[S. J. Res. 112]  
[Public Law 327]

Marine Corps Memorial Commission.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby established a commission, to be known as the Marine Corps Memorial Commission, and to be composed of three Commissioners to be appointed by the President of the United States. The Commission shall consider and formulate plans for the erection upon a suitable site in Grant Park, in the city of Chicago, Illinois, of an appropriate memorial to the members of the United States Marine Corps who have given their lives in the service of their country.

Acceptance of property.

SEC. 2. The Commission may accept from any source, public or private, money or other property for use in carrying out its functions under this joint resolution; and is authorized to cooperate with interested public and private organizations in carrying out such functions.

Designation of personnel of Federal agencies.

SEC. 3. Upon the request of the Commission, the heads of the Federal departments or agencies may designate such personnel of their respective departments or agencies, or of the Marine Corps, as the case may

be, as may be necessary to assist in carrying out the purposes of this joint resolution.

SEC. 4. Members of the Commission shall serve without compensation except that their actual expenses in connection with the work of the Commission may be paid from any funds available for the purposes of this joint resolution, or acquired by other means herein authorized.

SEC. 5. The members of the Commission shall select one of their number as chairman and another as secretary.

SEC. 6. The Commission shall report its recommendations to Congress at the earliest practicable date.

Approved August 4, 1947.

[CHAPTER 450]

JOINT RESOLUTION

Relating to safety in bituminous-coal and lignite mines of the United States.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That whenever the Secretary of the Interior, acting through the Director of the Bureau of Mines or his duly authorized representative, shall, upon investigation or inspection of any coal mine, pursuant to the Act of May 7, 1941 (55 Stat. 177), find that the safety standards, set forth in the Federal Mine Safety Code for Bituminous Coal and Lignite Mines of the United States, adopted pursuant to an agreement dated May 29, 1946, between the Secretary of the Interior, acting as Coal Mines Administrator, and the United Mine Workers of America, as published in 11 Federal Register 9017 (title 32, CFR., pt. 304, secs. 304.1–304.15), with respect to ventilation, rock-dusting, storage and use of explosives, roof and rib support, the use of water or water with a wetting agent or other means of dust control where mining operations raise an excessive amount of dust, and prevention of fires in the underground workings of the mines, are not being observed, he shall forthwith notify the owner and the operator of such mine and the State agency charged with the enforcement of safety measures in such mine of his findings and recommendations thereon, and request such owner, operator, and State agency severally to report to the Director of the Bureau of Mines the action taken with respect to said recommendations.

SEC. 2. (a) The Secretary of the Interior, acting through the Director of the Bureau of Mines, shall, each three months, commencing September 1, 1947, report to the Congress of the United States with respect to the conditions of all bituminous-coal and lignite mines investigated or inspected during the period, all recommendations and notices to the State agencies, and action taken by such mine owners, operators, and State agencies with respect to his findings and recommendations.

(b) The record of such inspections, findings, recommendations, notices, and reports, with respect thereto, shall be made available for public inspection as soon as practicable.

SEC. 3. (a) "Owner" includes a lessee and any person in possession or custody of a mine.

(b) "Operator" includes any agent, manager, superintendent, cooperative, or other person having control or supervision of a mine, directly or indirectly.

SEC. 4. This Act shall remain in effect for a period of one year from the date this Act is approved.

Approved August 4, 1947.

Compensation.

Chairman and secretary.

Report to Congress.

August 4, 1947  
[S. J. Res. 130]  
[Public Law 328]

Safety measures in mines.  
*Ante*, p. 700.

30 U. S. C. §§ 4f–4o.

Notification of findings, etc.

Report to Congress.

Availability of record for public inspection.

"Owner."

"Operator."

Effective period.

## [CHAPTER 451]

## AN ACT

August 4, 1947  
[H. R. 859]  
[Public Law 329]

To provide for the exploration, investigation, development, and maintenance of the fishing resources and development of the high seas fishing industry of the Territories and island possessions of the United States in the tropical and subtropical Pacific Ocean and intervening seas, and for other purposes.

Fishing resources of  
Territories and island  
possessions.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it is the policy of the United States to provide for the exploration, investigation, development, and maintenance of the fishing resources and development of the high seas fishing industry of the Territories and island possessions of the United States in the tropical and subtropical Pacific Ocean and intervening seas, for the benefit of the residents of the Territory of Hawaii and Pacific island possessions and of the people of the United States.

Explorations.

SEC. 2. The Secretary of the Interior, through the Fish and Wildlife Service of the Department of the Interior, is authorized and hereby directed to conduct such fishing explorations and such necessary related work as oceanographical, biological, technological, statistical, and economic studies to insure maximum development and utilization of the high seas fishery resources of the Territories and island possessions of the United States in the tropical and subtropical Pacific Ocean and intervening areas as may be consistent with developing and sustaining such fishery resources at maximum levels of production in perpetuity and to provide for the best possible utilization thereof.

Cooperation with  
Territorial agencies,  
etc.

SEC. 3. In carrying out the purposes and objectives of the foregoing sections, the Secretary of the Interior may cooperate with appropriate agencies of the Territorial and island governments, and with such educational, industrial, or other organizations, enterprises, and individuals as may be expedient.

Appropriations au-  
thorized for labora-  
tory, etc.

SEC. 4. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary for the construction, including architectural services, and for furnishings and equipment of a fishery research laboratory and experiment station in the Hawaiian Islands and necessary substations at suitable locations, together with suitable dock and storehouse facilities to be used in conjunction with the operation of research and experimental fishing vessels and for the procurement and for the modification, refitting, and equipment of two experimental high-seas fishing vessels, together with all necessary gear and appurtenances, and of one multiple purpose high-seas fishing and oceanographical research vessel, together with all necessary gear and appurtenances, including necessary naval architectural and engineering services: *Provided, however,* That no part of said appropriation shall be expended for the acquisition of lands for sites for said laboratory, experiment station, or substations in the Territory of Hawaii: *Provided further,* That there are authorized to be transferred to the Fish and Wildlife Service not to exceed three surplus vessels suitable for conversion and use in oceanographic and biological research and exploratory fishing, by any disposal agency of the Government without reimbursement or transfer of funds.

Acquisition of sites,  
restriction.

Transfer of vessels.

Additional appro-  
priations authorized.

SEC. 5. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, additional sums for expenses during the fiscal year 1947-1948 to carry out the purposes of this Act, including personal services, traveling expenses, transportation of things, purchase, maintenance, and operation of motor vehicles, miscellaneous equipment, and supplies, communications, other contractual services, necessary printing locally, and maintenance, repair, improvement, equipment, and operation of vessels and buildings or other structures.

SEC. 6. There is hereby authorized to be appropriated from time to time in fiscal years after 1947-1948 such sums as may be necessary to enable the Fish and Wildlife Service of the Department of the Interior to carry out the purposes of this Act, including all the classes of expenditures enumerated in the foregoing section.

Approved August 4, 1947.

Appropriations authorized after 1947-1948.

[CHAPTER 452]

AN ACT

To exclude certain interns, student nurses, and other student-employees of hospitals of the Federal Government from the Classification Act and other laws relating to compensation and benefits of Federal employees, and for other purposes.

August 4, 1947  
[H. R. 1714]  
[Public Law 330]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the first sentence of section 102 (a) of the Federal Employees Pay Act of 1945 (Public Law 106, Seventy-ninth Congress), as amended, is amended by striking out "and" before "(5)" and by changing the period at the end of such sentence to a semicolon and adding: "and (6) student nurses, medical or dental interns, residents-in-training, student dietitians, student physical therapists, and student occupational therapists, assigned or attached to a hospital, clinic, or medical or dental laboratory operated by any department, agency, or instrumentality of the Federal Government, or by the District of Columbia, and any other student-employees, assigned or attached to any such hospital, clinic, or laboratory primarily for training purposes, who may be designated by the head of such department, agency, or instrumentality, or by the Commissioners of the District of Columbia, as the case may be, with the approval of the Civil Service Commission."

Federal Employees  
Pay Act of 1945,  
amendment.  
59 Stat. 296.  
5 U. S. C. § 902 (a).

Exemptions from  
coverage of student-  
employees attached  
to hospitals, etc.

SEC. 2. The Classification Act of 1923, as amended and extended (5 U. S. C., ch. 13), shall not apply to student nurses, medical or dental interns, residents-in-training, student dietitians, student physical therapists, and student occupational therapists, assigned or attached to a hospital, clinic, or medical or dental laboratory operated by any department, agency, or instrumentality of the Federal Government, or by the District of Columbia, and any other student-employees, assigned or attached to any such hospital, clinic, or laboratory primarily for training purposes, who may be designated by the head of such department, agency, or instrumentality, or by the Commissioners of the District of Columbia, as the case may be, with the approval of the Civil Service Commission.

42 Stat. 1488.  
5 U. S. C. §§ 661-  
674.

SEC. 3. The heads of the departments, agencies, and instrumentalities of the Federal Government and the Commissioners of the District of Columbia shall prescribe stipends to be paid to persons included in section 2 of this Act who are at their respective hospitals, clinics, or laboratories; but no such stipend shall be in excess of the applicable maximum prescribed by the Civil Service Commission. Such persons may be provided living quarters, subsistence, and laundering while at the hospitals, clinics, or laboratories and, when so furnished, the reasonable value thereof, as prescribed by the head of the department, agency, or instrumentality concerned, or by the Commissioners of the District of Columbia, as the case may be, shall be deducted from their stipends; but such deductions may not be less than the lowest deduction applicable to regular employees at the same hospital, clinic, or laboratory for similar accommodations.

Stipends, etc.

SEC. 4. Any person included in section 2 of this Act who suffers disability or death as a result of personal injury arising out of and in the course of training, or sustained in the performance of duties in connection therewith, shall be treated, for the purposes of the Act of

Injury in course of  
training.

39 Stat. 742.  
5 U. S. C. §§ 751-801.  
*Ante*, p. 451.

Service credit.

46 Stat. 468.  
5 U. S. C. §§ 691-738.

Temporary detail,  
etc.

Travel expenses.

44 Stat. 688.  
5 U. S. C. §§ 821-834.

Rights, etc., of stu-  
dent nurses.

57 Stat. 153.

59 Stat. 675.  
38 U. S. C. §§ 15-  
15n.  
Availability of  
funds.

September 7, 1916, as amended (5 U. S. C., ch. 15), as though he were an employee, as defined in such Act, who had sustained such injury in the performance of duty.

SEC. 5. Persons included under section 2 of this Act shall not be subject to the provisions of the Civil Service Retirement Act of May 29, 1930, as amended (5 U. S. C. ch. 14), except that in the event any such person later becomes subject to the provisions of such Retirement Act, his service as a student employee shall be credited in accordance with the provisions of such Retirement Act.

SEC. 6. If any person included in section 2 is, pursuant to the order of the head of the department, agency, or instrumentality concerned, or the Commissioners of the District of Columbia, as the case may be, temporarily detailed to or affiliated with any other Government or non-Government institution, to procure necessary supplementary training or experience, his status as a student-employee shall not be considered terminated by reason of such detail or affiliation, but he may receive his stipend and other perquisites provided under this Act from the hospital, clinic, or laboratory to which he is assigned or attached for only sixty days of such detail or affiliation for each training year (as defined by such head of such Commissioners). Where the detail or affiliation under this section is to or with another Federal institution the student-employee shall be paid his necessary expenses of travel to and from such institution in accordance with the Standardized Government Travel Regulations and the provisions of the Subsistence Expense Act of 1926, as amended (5 U. S. C., ch. 16).

SEC. 7. This Act shall not be construed as affecting in any way the compensation, rights, or benefits of student nurses receiving training in accordance with the Act of June 15, 1943, as amended (50 U. S. C., App., 1451, and the following).

SEC. 8. Nothing contained in this Act shall be construed as limiting any authority conferred upon the Administrator of Veterans' Affairs by the Act of January 3, 1946 (Public Law 293, Seventy-ninth Congress).

SEC. 9. Funds now or hereafter appropriated to the departments, agencies, and instrumentalities of the Federal Government and to the District of Columbia for the expenses of their respective hospitals, clinics, and laboratories to which persons included in section 2 are assigned or attached are hereby made available and authorized for carrying out the provisions of this Act with respect to such persons.

Approved August 4, 1947.

#### [CHAPTER 453]

#### AN ACT

August 4, 1947  
[H. R. 2776]

[Public Law 331]

To extend the times for commencing and completing the construction of a toll bridge across the Rio Grande, at or near Rio Grande City, Texas.

Bridge.  
Rio Grande.

60 Stat. 748.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the times for commencing and completing the construction of a toll bridge across the Rio Grande, at or near Rio Grande City, Texas, authorized to be built by Gus A. Guerra, his heirs, legal representatives, and assigns, by an Act of Congress approved July 31, 1946, is hereby extended one year from July 31, 1947.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved August 4, 1947.

## [CHAPTER 454]

## AN ACT

Authorizing an appropriation for the construction, extension, and improvement of a State tuberculosis sanatorium at Galen, Montana, to provide facilities for the treatment of tuberculous Indians in Montana.

August 4, 1947  
[H. R. 2793]

[Public Law 332]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$1,500,000 for the purpose of cooperating with the State of Montana for the construction, extension, and improvement of a tuberculosis sanatorium at Galen, Deer Lodge County, Montana, to provide and make available whenever required for tuberculous Indians not less than one hundred additional beds: *Provided*, That the expenditure of any moneys authorized to be appropriated hereunder shall be subject to the condition that the proper authorities of the said State of Montana shall promptly take necessary steps under the laws of the State of Montana to provide additional funds required to complete the construction, extension, and improvement including regulation equipment of the said sanatorium and shall submit proof of compliance with this provision to the Commissioner of Indian Affairs; whereupon actual work shall proceed under the direction of the State officials and payment for such work in place shall be made monthly on vouchers properly certified by State officials to the Commissioner of Indian Affairs, whose determination and approval of the proper amount chargeable to any appropriation authorized hereunder shall be final and sufficient for such payment thereof: *Provided further*, That the said sanatorium so constructed, extended, and improved shall be maintained by the State of Montana and shall be available to all the Indian population of said State: *Provided further*, That the Commissioner of Indian Affairs will reimburse the State of Montana for the care and treatment of such tuberculous Indians who may be admitted to the sanatorium under the provisions of the Johnson-O'Malley Act, at rates not in excess of the average annual per diem cost of operation for the entire sanatorium.

Tuberculosis sanatorium, Galen, Mont. Appropriation authorized.

Additional funds from State.

Availability to Indians.

Reimbursement to State.

48 Stat. 596.  
25 U. S. C. §§ 452-455.

Approved August 4, 1947.

## [CHAPTER 455]

## AN ACT

For the relief of G. F. Allen, former Chief Disbursing Officer, Treasury Department, and for other purposes.

August 4, 1947  
[H. R. 2811]

[Public Law 333]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States is authorized and directed to allow credit in the accounts of G. F. Allen, former Chief Disbursing Officer, Treasury Department, in an amount not to exceed \$274.50, for the difference in his accounts arising from the loss of certain food stamps.

G. F. Allen.  
Credit in accounts.

SEC. 2. The Comptroller General of the United States is authorized and directed to allow credit in the accounts of Frank White and W. O. Woods, former Treasurers of the United States; H. T. Tate, former Acting Treasurer of the United States; and W. A. Julian, Treasurer of the United States; for sums not to exceed \$330, \$1,900.38, \$240, and \$25,563.15, respectively, representing unavailable items in their accounts as former Treasurers, former Acting Treasurer, and Treasurer of the United States, as listed in exhibits accompanying letter of March 7, 1947, of the Acting Secretary of the Treasury to the Speaker of the House of Representatives.

Frank White, W. O. Woods, H. T. Tate, W. A. Julian.  
Credit in accounts.

Nonliability for  
payment.

Civil or criminal  
liability.

J. W. Reynar.  
Credit in accounts.

Certification.

W. A. Julian.  
Credit in accounts.

Appropriation.

Adjustment, etc.

SEC. 3. Whenever any check, draft, or warrant, drawn upon the Treasurer of the United States or upon the Treasurer of the United States through any Federal Reserve bank, or any public debt obligation of the United States, including any obligation of any type whatever, the payment of which is guaranteed by, or assumed by, the United States, heretofore has been or hereafter may be paid in due course and without negligence by or on behalf of the Treasurer of the United States, the Treasurer shall not be liable for any such payment, and the Comptroller General of the United States is hereby authorized and directed to allow credit in the Treasurer's account for such payment: *Provided*, That nothing contained in this section shall be construed to relieve any person, other than the Treasurer of the United States, from any civil or criminal liability now existing or which may hereafter exist on account of any such check, draft, warrant or public debt obligation.

SEC. 4. The Comptroller General of the United States is authorized and directed to allow credit in the accounts of J. W. Reynar, certifying officer, Division of Disbursement, Treasury Department, on account of charges raised by the General Accounting Office in an amount not to exceed \$217.61: *Provided*, That the Secretary of the Treasury shall certify to the said Comptroller General that the payments against which charges are raised appear to have been made without fraud on the part of the certifying officer.

SEC. 5. The Comptroller General of the United States is authorized and directed to allow credit in the accounts of W. A. Julian, Treasurer of the United States, for a sum not to exceed \$6,680.06, representing unadjusted differences which occurred in the preparation of statements of disbursing officers' accounts during the period from November 1, 1944, to October 31, 1945.

SEC. 6. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, not to exceed the sum of \$1,351.85, of which amount (a) not to exceed the sum of \$66 shall be credited to the accounts of G. F. Allen, former Chief Disbursing Officer, Division of Disbursement, Treasury Department, to the extent necessary to adjust an overdraft of \$56 resulting from overpayments by his checks numbered 3,503,191 and 3,503,192, dated October 29, 1942, disbursing symbol 1-100, and to adjust an overpayment of \$10 on account of check numbered 1,533,782, dated October 20, 1942, disbursing symbol 87-407; and (b) not to exceed the sum of \$1,285.85 shall be credited to the Treasurer's account to the extent necessary to adjust unavailable items resulting from certain shortages, payment of original and duplicates of five checks, claim of nonreceipt of one check which was mislaid after payment by the Treasurer, and the loss of fifteen redeemed Consolidated Federal Farm Loan coupons, as listed in letter of March 7, 1947, of the Acting Secretary of the Treasury to the Speaker of the House of Representatives.

Approved August 4, 1947.

#### [CHAPTER 456]

#### AN ACT

August 4, 1947  
[H. R. 3045]  
[Public Law 334]

To authorize the Recorder of Deeds of the District of Columbia to purchase machines for the recording of deeds, and for other purposes.

Recorder of Deeds,  
D. C.  
Purchase of record-  
ing machines, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Recorder of Deeds of the District of Columbia is authorized and empowered to purchase such machines and equipment as he may deem necessary or expedient for the efficient, expeditious, and economical recording of all deeds and other instruments of writing entitled by law to be

recorded, and to employ such personnel as may be required to operate the same and to perform necessary services in connection therewith; and all deeds and other instruments of writing entitled by law to be recorded in the Office of the Recorder of Deeds which are recorded by means of such machines or equipment are hereby declared to be legally recorded.

Approved August 4, 1947.

## [CHAPTER 457]

## AN ACT

Authorizing and directing the Secretary of the Interior to issue a patent in fee to the surviving members of the Laguna Band of Mission Indians of California.

August 4, 1947  
[H. R. 3064]  
[Public Law 335]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is authorized and directed to take such steps as are necessary to determine the membership of the Laguna Band of Mission Indians of California and, having determined such membership, is further authorized and directed to issue to the member or members of such band within six months from the enactment of this Act, a patent in fee to the following-described lands situated within the boundaries of the Laguna Indian Reservation, California: The south half southwest quarter section 28; north half southwest quarter and northwest quarter section 33, township 14 south, range 5 east, San Bernardino meridian, San Diego County, California.

Approved August 4, 1947.

Laguna Band of  
Mission Indians, Calif.  
Issuance of patent  
in fee.

## [CHAPTER 458]

## AN ACT

Relative to restrictions applicable to Indians of the Five Civilized Tribes of Oklahoma, and for other purposes.

August 4, 1947  
[H. R. 3173]  
[Public Law 336]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all restrictions upon all lands in Oklahoma belonging to members of the Five Civilized Tribes, whether acquired by allotment, inheritance, devise, gift, exchange, partition, or by purchase with restricted funds, of whatever degree of Indian blood, and whether enrolled or unenrolled, shall be, and are hereby, removed at and upon his or her death: *Provided*, (a) That except as provided in subdivision (f) of this section, no conveyance, including an oil and gas or mineral lease, of any interest in land acquired before or after the date of this Act by an Indian heir or devisee of one-half or more Indian blood, when such interest in land was restricted in the hands of the person from whom such Indian heir or devisee acquired same, shall be valid unless approved in open court by the county court of the county in Oklahoma in which the land is situated; (b) that petition for approval of conveyance shall be set for hearing not less than ten days from date of filing, and notice of hearing thereon, signed by the county judge, reciting the consideration offered and a description of the land shall be given by publication in at least one issue of a newspaper of general circulation in the county where the land is located and written notice of such hearing shall be given to the probate attorney of the district in which the petition is filed at least ten days prior to the date on which the petition is to be heard. The grantor shall be present at said hearing and examined in open court before such conveyance shall be approved, unless the grantor and the probate attorney shall consent in writing that such hearing may be had and such conveyance approved in the absence of the grantor, and the court must be satisfied that the consideration has

Five Civilized  
Tribes.  
Removal of restric-  
tions on land in Okla.

Validity of convey-  
ance.

Hearing.



Conditional approval by court, etc.	been paid in full. Proceedings for approval of conveyances by restricted heirs or devisees under this section shall not be removable to the Federal court; (c) the evidence taken at the hearing shall be transcribed and filed of record in the case, the expense of which, including attorney fees and court costs, must be borne by the grantee. The court in its discretion, when deemed for the best interest of the Indian, may approve the conveyance conditionally, or may withhold approval; (d) that at said hearing competitive bidding may be had and a conveyance may be confirmed in the name of the person offering the highest bid therefor or when deemed necessary the court may set the petition for further hearing; (e) that the probate attorney shall have the right to appeal from any order approving conveyances to the district court of the county in which the proceedings are conducted within the time and in the manner provided by the laws of the State of Oklahoma in cases of appeal in probate matters generally, except that no appeal bond shall be required; (f) that sales of the interests of minor and incompetent persons shall be made in conformity with the laws of the State of Oklahoma. Notice of such sale shall be given to the probate attorney of the district in which the petition is filed at least ten days prior to the date on which the petition for sale is to be heard; (g) that nothing contained in this section shall be construed to modify or repeal the Act of February 11, 1936 (49 Stat. 1135), relating to leases for farming and grazing purposes.
Competitive bidding.	
Right to appeal.	
Sales of interest of minors, etc.	
25 U. S. C. § 393a.	
Quantum of Indian blood.	SEC. 2. In determining the quantum of Indian blood of any Indian heir or devisee, the final rolls of the Five Civilized Tribes as to such heir or devisee, if enrolled, shall be conclusive of his or her quantum of Indian blood. If unenrolled, his or her degree of Indian blood shall be computed from the nearest enrolled paternal and maternal lineal ancestors of Indian blood enrolled on the final rolls of the Five Civilized Tribes.
Jurisdiction of guardianship, etc.	SEC. 3. (a) The State courts of Oklahoma shall have exclusive jurisdiction of all guardianship matters affecting Indians of the Five Civilized Tribes, of all proceedings to administer estates or to probate the wills of deceased Indians of the Five Civilized Tribes, and of all actions to determine heirs arising under section 1 of the Act of June 14, 1918 (40 Stat. 606).
25 U. S. C. § 375.	
Effect of final judgment on U. S.	(b) The United States shall not be deemed to be a necessary or indispensable party to any action or proceeding of which the State courts of Oklahoma are given exclusive jurisdiction by the provisions of subsection (a) of this section, and the final judgment rendered in any such action or proceeding shall bind the United States and the parties thereto to the same extent as though no Indian property or question were involved: <i>Provided</i> , That written notice of the pendency of any such action or proceeding shall be served on the Superintendent for the Five Civilized Tribes within ten days of the filing of the first pleading in said action or proceeding. Such notice shall be served by the party or parties causing the first pleading to be filed. Section 3 of the Act of April 12, 1926 (44 Stat. 239), shall have no application to actions or proceedings covered by the provisions of subsection (a) of this section.
Notice of pendency.	
Nonapplicability.	
Removal of action to district court.	(c) No action or proceeding in which notice has been served on the Superintendent for the Five Civilized Tribes pursuant to the provisions of section 3 of the Act of April 12, 1926 (44 Stat. 239), shall be removed to a United States district court except upon the recommendation of the Secretary of the Interior or his duly authorized representative. The United States shall have the right to appeal from any order of remand entered in any case removed to a United States district court pursuant to the provisions of the Act of April 12, 1926 (44 Stat. 239).
Right to appeal.	

(d) Nothing contained in this section shall be construed to limit any right of appeal.

SEC. 4. That the attorneys provided for under the Act of May 27, 1908 (35 Stat. 312), are authorized to appear and represent any restricted member of the Five Civilized Tribes in Oklahoma before any of the courts of the State of Oklahoma in any matter in which the said restricted Indian may have an interest.

Representation of  
restricted members.

SEC. 5. That all funds and securities now held by, or which may hereafter come under the supervision of the Secretary of the Interior, belonging to and only so long as belonging to Indians of the Five Civilized Tribes in Oklahoma of one-half or more Indian blood, enrolled or unenrolled, are hereby declared to be restricted and shall remain subject to the jurisdiction of said Secretary until otherwise provided by Congress, subject to expenditure in the meantime for the use and benefit of the individual Indians to whom such funds and securities belong, under such rules and regulations as said Secretary may prescribe.

Tribal funds and  
securities.

SEC. 6. (a) Except as hereinafter provided, the tax-exempt lands of any Indian of the Five Civilized Tribes in Oklahoma shall not exceed one hundred and sixty acres, whether the said lands be acquired by allotment, descent, devise, gift, exchange, partition, or by purchase with restricted funds.

Tax-exempt lands.

(b) All tax-exempt lands owned by an Indian of the Five Civilized Tribes on the date of this Act shall continue to be tax-exempt in the hands of such Indian during the restricted period: *Provided*, That any right to tax exemption which accrued prior to the date of this Act under the provisions of the Acts of May 10, 1928 (45 Stat. 495), and January 27, 1933 (47 Stat. 777), shall terminate unless a certificate of tax exemption has been filed of record in the county where the land is located within two years from the date of this Act.

Continuation of ex-  
emption, etc.

(c) Any interest in restricted and tax-exempt lands acquired by descent, devise, gift, exchange, partition, or purchase with restricted funds, after the date of this Act by an Indian of the Five Civilized Tribes of one-half or more Indian blood shall continue to be tax-exempt during the restricted period: *Provided*, That the tax-exempt lands of any such heir, devisee, donee, or grantee, whether acquired by allotment, descent, devise, gift, exchange, partition, or purchase with restricted funds, shall not exceed one hundred and sixty acres in the aggregate: *Provided further*, That nothing contained in this subsection shall be construed to terminate or abridge any right to tax exemption to which any Indian was entitled on the effective date of this Act.

25 U. S. C. § 355  
note.

(d) Nothing contained in this section shall be construed to affect any tax exemption provided by the Act of June 26, 1936 (49 Stat. 1967).

25 U. S. C. §§ 501-  
509.

(e) On or before the 1st day of January of each year following the date of this Act, the Superintendent of the Five Civilized Tribes shall file with the county treasurer of each county in the State of Oklahoma where restricted Indians' lands of any type of members of the Five Civilized Tribes are situated, a statement showing what lands are regarded as tax exempt, and the names of the Indians for whom the lands are claimed as tax exempt. Before a county treasurer shall proceed to sell any restricted land for delinquent taxes, it must appear from the records of the office of the county treasurer that a list of the tracts included in the proposed sales of land for delinquent taxes in said county has been sent by registered mail to the Superintendent for the Five Civilized Tribes at Muskogee, Oklahoma, at least ninety days before the date fixed by the laws of the State of Oklahoma for sales of land for delinquent taxes.

*Post*, p. 734.

Filing of statement  
showing tax-exempt  
lands, etc.

Validation of prior removals of restrictions, etc.

SEC. 7. All removals of restrictions and approvals of deeds heretofore made by the Secretary of the Interior, regardless of whether applications were made therefor by the Indian owner, are hereby validated and confirmed.

Restricted lands.

SEC. 8. That no tract of land, nor any interest therein, which is hereafter purchased by the Secretary of the Interior with restricted funds by or for an Indian or Indians of the Five Civilized Tribes in Oklahoma of one-half or more Indian blood, enrolled or unenrolled, shall be construed to be restricted unless the deed conveying same shows upon its face that such purchase was made with restricted funds.

Validation of conveyances.

SEC. 9. That all conveyances, including oil and gas or mineral leases, by Indians of the Five Civilized Tribes in Oklahoma of lands acquired by inheritance or devise, made after the effective date of the Act of January 27, 1933, and prior to the effective date of this Act, that were approved either by a county court in Oklahoma or by the Secretary of the Interior are hereby validated and confirmed: *Provided*, That if any such conveyance is subject to attack upon grounds other than sufficiency of approval or lack of approval thereof, such conveyance shall not be affected by this Act.

47 Stat. 777.  
25 U. S. C. § 355  
note.

25 U. S. C. § 502.

SEC. 10. Section 2 of the Act of June 26, 1936 (49 Stat. 1967), commonly known as the Oklahoma Welfare Act, shall be amended by the addition of a new paragraph as follows:

Waiver of preference right.

"The preference right of the Secretary to purchase shall be considered as waived where notice of the pendency of sale is given in writing to the Superintendent of the Five Civilized Tribes for at least ten days prior to the date of sale and the Secretary does not within that time exercise the preferential right to purchase."

Applicability of oil and gas conservation laws to restricted lands.

SEC. 11. All restricted lands of the Five Civilized Tribes are hereby made subject to all oil and gas conservation laws of Oklahoma: *Provided*, That no order of the Corporation Commission affecting restricted Indian land shall be valid as to such land until submitted to and approved by the Secretary of the Interior or his duly authorized representative.

Repeals.

SEC. 12. Sections 1 and 8 of the Act of January 27, 1933 (47 Stat. 777), are hereby repealed.

SEC. 13. All Acts and parts of Acts in conflict herewith are hereby repealed.

Approved August 4, 1947.

#### [CHAPTER 459]

#### AN ACT

August 4, 1947  
[H. R. 3215]  
[Public Law 337]

To revise the Medical Department of the Army and the Medical Department of the Navy, and for other purposes.

Army-Navy Medical Services Corps Act of 1947.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That this Act may be cited as the "Army-Navy Medical Services Corps Act of 1947".

#### TITLE I

##### ARMY MEDICAL SERVICE CORPS

Composition.

SEC. 101. Effective the date of enactment of this Act, there is established in the Medical Department of the Regular Army the Medical Service Corps, which shall consist of the Pharmacy, Supply, and Administration Section, the Medical Allied Sciences Section, the Sanitary Engineering Section, the Optometry Section, and such other sections as may be deemed necessary by the Secretary of War, and which shall perform such services as may be prescribed by the

Secretary of War. The authorized strength of the Medical Service Corps, Regular Army, shall be such strength as may from time to time be prescribed by the Secretary of War. The Medical Service Corps, Regular Army, shall consist of officers in the grades of second lieutenant to colonel, inclusive: *Provided*, That the number of colonels on active duty in the Medical Service Corps, Regular Army, shall at no time exceed 2 per centum of the authorized Regular Army officer strength of such corps.

Authorized strength.

Colonels.

Chief of Medical Service Corps.

SEC. 102 (a) From the officers commissioned in the Medical Service Corps, Regular Army, in the permanent grade of major or above, the Secretary of War shall appoint the Chief of the Medical Service Corps, who shall serve as Chief during his pleasure, and who, if commissioned in permanent grade below colonel, shall, without vacation of his permanent grade, have the temporary rank, pay, and allowances of a colonel while so serving, and who, while so serving, shall be superior in rank to all other colonels in the corps.

Designation of Assistant Chiefs.

(b) From the officers commissioned in the Medical Service Corps, Regular Army, the Surgeon General shall designate Assistant Chiefs, who shall be Chiefs of Sections, and who shall be consultants to him in activities relative to that specific section.

Retired rank, etc., of Chief.

(c) Unless entitled to higher retired rank or pay under any provision of law, each such commissioned officer who shall have served for four years as Chief of the Medical Service Corps, shall upon retirement be retired with the rank held while so serving, shall receive retired pay at the rate prescribed by law computed on the basis of the base and longevity pay which he would receive if serving on active duty with such rank, and if thereafter recalled to active service shall be recalled in such rank.

Original appointments.  
59 Stat. 663.  
10 U. S. C. §§ 505-505d, 481, 552c, 552a.  
*Ante*, p. 95.

SEC. 103. Except as provided in Public Law 281, Seventy-ninth Congress, approved December 28, 1945, as amended, and except as hereinafter provided for transfer thereto, original appointments in the Medical Service Corps, Regular Army, shall be made only in the grade of second lieutenant from citizens of the United States between the ages of twenty-one and thirty years, who possess such physical and other qualifications as may be prescribed by the Secretary of War: *Provided*, That appointments from sources other than the Regular Army or its active Reserve shall be made from persons who are graduates from accredited schools of pharmacy, optometry, or other schools or colleges with degrees in sciences allied to medicine or such other degrees as may be approved by the Surgeon General, and each person appointed and commissioned an officer of the Medical Service Corps who at the time of appointment holds a degree of doctor of philosophy or comparable degree recognized by the Surgeon General in a science allied to medicine may, subject to regulations as prescribed by the Secretary of War, be credited at the time of appointment with an amount of service equal to three years.

Appointments from sources other than Army.

Person holding doctorate degree in science.

SEC. 104. Effective from date of enactment of this Act, commissioned officers of the Medical Service Corps, Regular Army, shall be promoted to the permanent grades of first lieutenant, captain, major, and lieutenant colonel as now or hereafter prescribed for promotion of promotion-list officers to such grades, respectively. Promotion to the permanent grade of colonel shall be by selection under regulations prescribed by the Secretary of War from officers in the grade of lieutenant colonel with at least one year's service in that grade.

Promotion to permanent grades.

SEC. 105. Effective the date of enactment of this Act, Public Law 281, Seventy-ninth Congress, approved December 28, 1945, as amended, is hereby further amended as follows:

(a) Section 5 of said Act is amended by striking out paragraphs (c) and (d) and inserting in lieu thereof a new paragraph (c) as follows:

59 Stat. 665.  
10 U. S. C. § 505c  
(c), (d).

Appointments according to periods of service.

59 Stat. 665.  
10 U. S. C. § 505d  
(b), (c).

*Ante*, p. 735.  
Transfer of officers of Pharmacy Corps.

Corps abolished.

Transfer of persons holding temporary appointments in Army, etc.

Regulations.

Back pay.

Repeal.

"(c) Persons appointed in the Medical Service Corps shall be appointed in grades of second lieutenant, first lieutenant, captain, or major according to the periods of service with which they are credited in the same manner as set forth in paragraph (a) of this section for persons appointed in arms and services of the Regular Army, the officers of which are on the promotion list."

(b) Section 6 of said Act is amended by striking out from paragraph (b) thereof the words "The Pharmacy Corps" and by striking out paragraph (c) thereof and inserting in lieu thereof a new paragraph (c) as follows:

"(c) In the Medical Service Corps if he would upon appointment receive credit for twenty-three or more years' service under section 5 of this Act."

SEC. 106. Officers of the Regular Army who, on the date of enactment of this Act, hold commissions in the Pharmacy Corps, are, effective the date of enactment of this Act, transferred in grade to the Medical Service Corps. Each such officer so transferred shall be reappointed in the Medical Service Corps in the permanent grade held by him at the time of such transfer; shall be credited for the purpose of determining eligibility for promotion, with continuous commissioned service on the active list of the Regular Army in the Medical Service Corps equal to the period of service credited to him for promotion purposes under existing provisions of law, and shall, subsequent to such transfer, be thereafter promoted in accordance with the promotion system set forth in section 104 of this Act.

SEC. 107. (a) Effective the date of enactment of this Act, the Pharmacy Corps and the Medical Administrative Corps are abolished.

(b) Effective the date of enactment of this Act, persons holding temporary appointments or commissions in the Army of the United States permanently assigned or detailed to the Medical Administrative Corps, the Pharmacy Corps, or the Sanitary Corps, shall be automatically transferred and permanently assigned or detailed, as the case may be, to the Medical Service Corps, Regular Army, established by this Act, in the same temporary grade and rank held by them at such time.

(c) The Secretary of War is authorized to prescribe from time to time such regulations as may be necessary for the administration of title I of this Act.

(d) No back pay shall accrue to any person by reason of the enactment hereof.

(e) Effective the date of enactment of this Act, all laws and parts of laws, insofar as they are inconsistent with or in conflict with the provisions of title I of this Act, are repealed.

## TITLE II

### NAVY MEDICAL SERVICE CORPS

Composition.

Authorized strength.

34 U. S. C. § 348c.  
*Post*, p. 881.  
Precedence.

SEC. 201. Effective the date of enactment of this Act, there is established in the Medical Department of the United States Navy a Medical Service Corps which shall consist of the Pharmacy, Supply, and Administration Section, the Medical Allied Sciences Section, the Optometry Section, and such other sections as may be deemed necessary by the Secretary of the Navy. The authorized strength of the Medical Service Corps shall be 20 per centum of the authorized strength of the Medical Corps of the Navy. The Medical Service Corps shall consist of officers in the grades of ensign to captain, inclusive.

The first proviso to section 4 of the Act of June 10, 1926 (44 Stat. 719), as amended, is hereby further amended to read as follows: "That

except as otherwise provided herein, officers having the same rank and the same date of precedence in that rank shall take precedence in the following order: (a) Line officers, (b) medical officers, (c) supply officers, (d) chaplains, (e) civil engineers, (f) dental officers, (g) officers of the Medical Service Corps, and (h) officers of the Nurse Corps." The authorized number of captains on the active list of the Medical Service Corps shall equal 2 per centum of the total number of officers on the active list of that corps at any one time. A computation to determine such authorized number shall be made by the Secretary of the Navy as of January first of each year, and the resulting number as so computed shall be held and considered for all purposes as the authorized number until a subsequent computation shall be made.

SEC. 202. Officers of the Medical Service Corps shall be staff officers and shall be subject to all provisions of law now existing or hereafter enacted relating to the advancement in rank and retirement of officers of the Medical Corps of the Navy, with the exception of the provisions relating to the composition of selection boards for staff officers. Boards for selection of officers of the Medical Service Corps for recommendation for advancement in rank shall be composed of not less than six nor more than nine officers of the Medical Corps not below the rank of captain: *Provided*, That in case there be not a sufficient number of officers of the Medical Corps legally or physically capacitated to serve on such board as herein provided, officers of the line on the active list above the rank of commander shall be detailed to duty on such board to constitute the required minimum membership: *And provided further*, That commanders in the Medical Service Corps shall not be involuntarily retired by reason of failure of selection for promotion until they shall have completed thirty years of service.

SEC. 203. During the period that appointments to the Regular Navy may be made pursuant to section 5 of the Act of April 18, 1946 (Public Law 347, Seventy-ninth Congress, second session), all appointments to the Medical Service Corps shall be made in accordance with the provisions of said Act.

SEC. 204. All appointments in the Medical Service Corps, except those provided for in section 203 of this Act, shall be in the grade of ensign from those persons serving as commissioned warrant or warrant officers of the Hospital Corps of the Regular Navy and from other persons who possess such physical and other qualifications for appointment as may be prescribed by the Secretary of the Navy: *Provided*, That appointments from sources other than the Regular Navy shall be made from persons who are graduates of accredited schools of pharmacy, optometry, or other schools or colleges with degrees in sciences allied to medicine or such degrees as may be approved by the Surgeon General: *Provided further*, That persons holding a doctorate degree in sciences allied to medicine approved by the Surgeon General at time of appointment in the Medical Service Corps may, subject to regulations to be prescribed by the Secretary of the Navy, be appointed in the grade of lieutenant (junior grade). No person shall be appointed under the provisions of this section unless he be a citizen of the United States between the ages of twenty-one and thirty-two years and until he shall have established his mental, moral, and professional qualifications to the satisfaction of the Secretary of the Navy.

SEC. 205. All appointments in the Medical Service Corps shall be made by the President, by and with the advice and consent of the Senate.

SEC. 206. The Secretary of the Navy, under such regulations as he may prescribe, may revoke the commission of any officer appointed

Captains.

Computation to determine number.

Staff officers.  
*Post*, p. 881.

Selection boards.

Detail of officers of the line.

Involuntary retirement.

Appointments.  
*Post*, p. 881.

60 Stat. 92.  
34 U. S. C. § 15.  
*Post*, p. 867.

Appointments in grade of ensign.  
*Post*, pp. 881, 882.

Appointments from sources other than Navy.

Person holding doctorate degree in sciences.

Qualifications.

Appointments by President.  
*Post*, p. 881.

Revocation of commission.  
*Post*, pp. 881, 882.

60 Stat. 1061.  
34 U. S. C. § 405a.  
*Post*, p. 880.  
Reappointment.

Command in the  
line, etc.  
*Post*, p. 881.

*Post*, p. 881.

Regulations.  
*Post*, p. 881.

pursuant to section 204 of this Act in accordance with the provisions of section 12 of the Act of August 13, 1946 (Public Law 729, Seventy-ninth Congress): *Provided*, That any officer whose commission is so revoked and who at the time of his appointment under section 204 of this Act held permanent status as a commissioned warrant or warrant officer may be reappointed by the President without examination to such permanent status with the same lineal position and other rights and benefits which he would have had or would have attained in due course had he not been appointed in the Medical Service Corps.

SEC. 207. No officer of the Medical Service Corps shall be entitled to command in the line or any other staff corps of the Navy, nor shall any such officer suffer reduction in the pay and allowances to which entitled by virtue of his permanent status by reason of appointment in the Medical Service Corps established by this title.

SEC. 208. All laws now existing or hereafter enacted relating to the various staff corps of the Navy shall be construed to include the Medical Service Corps, unless otherwise provided in this Act.

SEC. 209. The Secretary of the Navy is hereby authorized to prescribe the necessary regulations to carry out the provisions of this title.

### TITLE III

#### THE HOSPITAL CORPS OF THE NAVY

SEC. 301 (a) The first paragraph under the heading "Hospital Corps," page 572, volume 39, of the Statutes at Large (Act of August 29, 1916), as amended by the Act of April 18, 1946 (Public Law 347, Seventy-ninth Congress, second session), is hereby further amended to read as follows:

60 Stat. 95.  
34 U. S. C. § 34.

Authorized strength.

"Hereafter the authorized strength of the Hospital Corps of the Navy shall equal 31½ per centum of the authorized enlisted strength of the Navy and Marine Corps. The Secretary of the Navy is authorized, in his discretion, to establish such grades and ratings in the Hospital Corps as he may deem necessary in the proper administration of such corps: *Provided*, That enlisted men of other ratings in the Navy and in the Marine Corps shall be eligible for transfer to the Hospital Corps, and men of that corps to other ratings in the Navy and the Marine Corps."

Eligibility for transfer.

39 Stat. 572.  
34 U. S. C. § 128.

Appointment of  
warrant officers.

(b) The second paragraph under such heading is hereby amended to read as follows:

Qualifications.

Rank; pay and al-  
lowances.

"The Secretary of the Navy may hereafter appoint as many warrant officers in the Hospital Corps, as may be deemed necessary, from the rating of chief petty officer or petty officer, first class, in the Hospital Corps: *Provided*, That no person shall be appointed pursuant hereto until he shall have established his mental, moral, physical, and professional qualifications to the satisfaction of the Secretary of the Navy: *Provided further*, That the warrant officers now in the Hospital Corps of the United States Navy or hereafter appointed therein in accordance with the provisions of this Act shall have the same rank, pay, and allowances as are now or may hereafter be allowed other warrant officers."

Regulations.

SEC. 302. The Secretary of the Navy is hereby authorized to prescribe the regulations necessary to carry out the provisions of this title and no person shall suffer any reduction in grade or rate, or in pay or allowances, by reason of the requirements of this title or of the regulations provided pursuant thereto.

Approved August 4, 1947.

## [CHAPTER 460]

## AN ACT

To increase the minimum allowance payable for rehabilitation in certain service-connected cases.

August 4, 1947  
[H. R. 3308]  
[Public Law 338]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, effective on the first day of the first calendar month subsequent to the date of enactment of this Act, paragraph 3 of part VII of Veterans Regulation Numbered 1 (a), as amended, is amended to read as follows:

"3. While pursuing training prescribed herein, and for two months after his employability is determined, each veteran shall be paid the amount of subsistence allowance specified in paragraph 6 of part VIII of Veterans Regulation Numbered 1 (a), as amended: *Provided*, That the minimum payment of such allowance, plus any compensation or other benefit shall be (A) where the service-connected disability is rated less than 30 per centum, for a person without a dependent, \$105 per month; and for a person with a dependent, \$115, plus the following amounts for additional dependents: (1) \$10 for one child and \$7 additional for each additional child, and (2) \$15 for a dependent parent; (B) where the service-connected disability is rated 30 per centum or more, for a person without a dependent, \$115 per month; and for a person with a dependent, \$135, plus the following amounts for additional dependents: (1) \$20 for one child and \$15 additional for each additional child, and (2) \$15 for a dependent parent: *Provided further*, That the rates set out herein shall not be subject to the increases authorized by Public Law Numbered 312, Seventy-eighth Congress, approved May 27, 1944: *And provided further*, That when the course of vocational rehabilitation furnished to any person as herein provided consists of training on the job by an employer, such employer shall be required to submit monthly to the Administrator a statement in writing showing any wage, compensation, or other income paid by him to such person during the month, directly or indirectly, and based upon such written statements, the Administrator is authorized to reduce the subsistence allowance of such person to an amount considered equitable and just."

Approved August 4, 1947.

Rehabilitation of veterans.

57 Stat. 43.  
38 U. S. C. note foll. § 739.

Subsistence allowance.

58 Stat. 289.  
38 U. S. C. note foll. § 739.

Minimum payment.

Restriction.

58 Stat. 229.  
38 U. S. C. §§ 471a-1, 504 and notes, 507b.  
Monthly statement by employer.

Reduction of allowance.

## [CHAPTER 461]

## AN ACT

To add certain lands to the Modoc National Forest, California.

August 4, 1947  
[H. R. 3395]  
[Public Law 339]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the boundaries of the Modoc National Forest are hereby extended to include the following-described lands and, subject to valid and existing claims, all lands of the United States within said area which heretofore were not parts of said national forest are hereby made parts thereof and hereafter shall be subject to all laws and regulations applicable thereto: *Provided*, That nothing herein shall be construed as prohibiting the location and entry under the mining laws of the United States, and the rules and regulations applying thereto, of any of the public-domain lands hereby added to said national forest or of any land within said area hereafter acquired through exchange under the provisions of the Act of March 20, 1922 (42 Stat. 465), as amended:

Modoc National Forest.  
Addition of certain lands.

16 U. S. C. §§ 485, 486.



## MOUNT DIABLO MERIDIAN, CALIFORNIA

Township 41 north, range 9 east, sections 23, 24, 25, and 36.

Township 39 north, range 10 east, section 1, east half.

Township 40 north, range 10 east, sections 1 to 4, inclusive; sections 9 to 15, inclusive; sections 24, 25, and 36.

Township 41 north, range 10 east, sections 16 to 21, inclusive; sections 26 to 36, inclusive.

Township 39 north, range 11 east, sections 1 to 18, inclusive; sections 22 and 23.

Township 40 north, range 11 east, section 5, except lot 6; sections 6 to 8, inclusive; section 16, southwest quarter southeast quarter; sections 17 to 20, inclusive; section 21, north half northeast quarter, southwest quarter northeast quarter, northwest quarter, south half; section 27, west half northwest quarter; sections 28 to 33, inclusive; section 34, south half northeast quarter, southwest quarter northwest quarter, south half; section 35, southwest quarter northwest quarter, southwest quarter, south half southeast quarter.

Township 41 north, range 11 east, section 32, northwest quarter northeast quarter, south half northeast quarter, southeast quarter northwest quarter, south half.

Township 39 north, range 12 east, section 7, west half southwest quarter; section 16.

Approved August 4, 1947.

## [CHAPTER 462]

## AN ACT

August 4, 1947  
[H. R. 3874]  
[Public Law 340]

To authorize the city of Pierre, South Dakota, to transfer Farm Island to the State of South Dakota, and for other purposes.

Farm Island,  
S. Dak.  
Transfer.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to the transfer, from the city of Pierre, South Dakota, to the Department of Game, Fish, and Parks of the State of South Dakota, of all or any part of the right, title, and interest of the said city of Pierre in and to Farm Island, an island in the Missouri River in Hughes County, South Dakota, which was granted by the United States to said city of Pierre by section 21 of the Act entitled "An Act to divide a portion of the reservation of the Sioux Nation of Indians in Dakota into separate reservations and to secure the relinquishment of the Indian title to the remainder, and for other purposes", approved March 2, 1889 (25 Stat. 896), in accordance with Resolution Numbered 376 of the city of Pierre, South Dakota, adopted by the board of city commissioners of said city on July 2, 1946, by which said commissioners did resolve as follows:

*"Be it resolved by the City of Pierre, South Dakota,* That the city of Pierre, South Dakota, hereby transfers, assigns, and gives all of its right, title, and interest in and to Farm Island, Hughes County, South Dakota, an island in the Missouri River, to the Department of Game, Fish, and Parks of the State of South Dakota, on the condition that the said Farm Island shall be used by the Commission of Game, Fish, and Parks for such purposes as are now or may hereinafter be authorized by the laws of the State of South Dakota, exclusive of said Commission's right to sell the property of the said Department of Game, Fish, and Parks: *Provided,* That this assignment, transfer, and gift shall in no way disturb or alter the rights of the Sunshine Chapter of the Izaak Walton League, the Boy Scouts of America, and the Girl Scouts of America, to the several tracts on said Farm Island now occupied by said organizations by virtue of license, lease, or

otherwise from the said city of Pierre: *Provided further*, That this assignment, transfer and gift is subject to the consent, acceptance, confirmation, and acquiescence of the Congress of the United States of America.”;

and in accordance with the resolution of the State Game, Fish, and Parks Commission of the State of South Dakota, dated December 16, 1946, by which said Commission did resolve as follows:

“Whereas the city of Pierre, South Dakota, transferred, signed, and gave all of its right, title, and interest in and to Farm Island, Hughes County, South Dakota, an island in the Missouri River, to the Department of Game, Fish, and Parks of the State of South Dakota, on the condition that the said Farm Island shall be used by the Game, Fish, and Parks Commission for such purposes as are now or may hereinafter be authorized by the laws of the State of South Dakota, exclusive of said Commission’s right to sell the property of the Department of Game, Fish, and Parks of the State of South Dakota:

“*Be it Resolved, by the Game, Fish, and Parks Commission of the State of South Dakota*, That the assignment, transfer, and gift by the city of Pierre, South Dakota, of its interest in Farm Island to the Department of Game, Fish, and Parks as evidenced by Resolution Numbered 376 adopted by the Board of City Commissioners of said city of Pierre on July 2, 1946, be, and the same is hereby, accepted;

“*Be it Further Resolved*, That the acceptance of said assignment shall in no way disturb or alter the rights of the Sunshine Chapter of the Izaak Walton League of America, the Boy Scouts of America, and the Girl Scouts of America, to the several tracts of said Farm Island now occupied by said organizations by virtue of license, lease, or otherwise, from the city of Pierre: *Provided further*, That the acceptance of this assignment, transfer, and gift is subject to the consent, acceptance, confirmation, and acquiescence of the Congress of the United States of America.”

*Provided*, That said transfer shall be on the express condition that said Farm Island shall be used only for such purposes as are now or may hereafter be authorized by the laws of the State of South Dakota, exclusive of said Commission’s right to sell the property of said Department of Game, Fish, and Parks of the State of South Dakota, and upon the failure of said condition the said island shall revert to the United States, to be disposed of by future legislation only.

SEC. 2. The proviso in section 1 and sections 2, 3, 4, and 5 of the Act of August 16, 1937 (50 Stat. 648), as amended by the Act of June 17, 1940 (54 Stat. 540), are hereby repealed, and exclusive civil, criminal, and administrative jurisdiction of the said Farm Island shall continue to be in the State of South Dakota on and after the passage and approval of this Act.

Approved August 4, 1947.

#### [CHAPTER 463]

#### AN ACT

Authorizing the construction of flood-control works on the Little Sioux River and its tributaries in Iowa.

Use.

Repeals; jurisdiction.

54 Stat. 405.

August 4, 1947  
[H. R. 4111]  
[Public Law 341]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the project for flood control on the Little Sioux River and its tributaries, recommended in the report of the Chief of Engineers, United States

Little Sioux River.  
Project for flood control.

Army, in House Document Numbered 275, Eightieth Congress, first session, at an estimated cost of \$3,320,000, is hereby adopted and authorized, and shall be prosecuted under the direction of the Secretary of War and the supervision of the Chief of Engineers in accordance with the plan recommended in that report and subject to the conditions of local cooperation set forth therein.

Appropriation au-  
thorized.

SEC. 2. There is hereby authorized to be appropriated such sums as may be needed to carry out the provisions of this Act.

Approved August 4, 1947.

#### [CHAPTER 467]

#### AN ACT

August 4, 1947

[S. 272]

[Public Law 342]

To provide for the utilization of surplus War Department-owned military real property as national cemeteries, when feasible.

War Department.  
Use of certain lands  
for national cemeteries.

29 Stat. 625.

Expansion of exist-  
ing national ceme-  
teries.

Regulations.

Appropriations au-  
thorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That when the Secretary of War determines that there is need for an additional cemetery or cemeteries for the burial of members of the armed forces of the United States dying in the service or former members whose last discharge therefrom was honorable and certain other persons as provided for by existing law (24 U. S. C. 281), he is authorized to utilize and expand existing facilities at Fort Rosecrans, California, and Jefferson Barracks, Missouri, when practicable, through the use of federally owned lands under the jurisdiction of the War Department for military purposes and not needed for such purposes for the establishment thereon of a national cemetery or cemeteries.

SEC. 2. Upon the selection by the Secretary of War of such land, as provided in section 1 hereof, the Secretary of War is authorized and directed to expand existing national cemeteries and to provide for the care and maintenance thereof. No national cemetery as expanded pursuant to this Act shall have an area in excess of six hundred and forty acres.

SEC. 3. The Secretary of War is authorized to prescribe such regulations as he may deem necessary for the administration of this Act.

SEC. 4. There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry into effect the purposes of this Act.

Approved August 4, 1947.

#### [CHAPTER 468]

#### AN ACT

August 4, 1947

[S. 1480]

[Public Law 343]

Authorizing the conveyance to the State of Delaware of a portion of Pea Patch Island.

Pea Patch Island.  
Conveyance.

Easements reserved  
to U. S.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Federal Works Administrator is hereby authorized and directed to convey by quitclaim deed to the State of Delaware all the right, title, and interest of the United States in and to Pea Patch Island, situated in the Delaware River, near Delaware City, Delaware, except that portion of the island lying northeastwardly of a straight line just northeastwardly from the northeast outside wall of the Fort Delaware moat and eighty feet northeastwardly at right angles from triangulation station "Torpedo" from a point in the southeasterly high-water line to a point in the northwesterly high-water line of the island, reserving to the United States a perpetual easement to construct and operate on the east fire-control station of the fort parapet a navigational light and

fog signal with necessary appurtenances, and a perpetual easement to construct and maintain a submarine cable from the water on the southeasterly side of the island to the light and fog-signal apparatus.

Approved August 4, 1947.

[CHAPTER 469]

AN ACT

To amend section 4 of the Act entitled "An Act to control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes", approved July 8, 1932 (sec. 22, 3204 D. C. Code, 1940 edition).

August 4, 1947  
[H. R. 493]  
[Public Law 344]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 4 of the Act entitled "An Act to control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes", approved July 8, 1932 (sec. 22, 3204 D. C. Code, 1940 edition), be amended by changing the last period to a colon and adding the following language: "Provided, That arrests, without a warrant, and searches and seizures pursuant thereto, may be made for violation of this section, by police officers, as in the case of a felony, upon probable cause that the person arrested is violating this section at the time of the arrest; but no evidence discovered in the course of any arrest, search, or seizure authorized by this proviso shall be admissible in any criminal proceeding against the person arrested unless at the time of such arrest he was carrying a pistol or other dangerous weapon on or about his person."

Concealed weapons,  
D. C.

47 Stat. 651.

Arrest without war-  
rant, etc.

Approved August 4, 1947.

[CHAPTER 470]

AN ACT

To amend section 107 of title 2 of the Canal Zone Code, approved June 19, 1934.

August 4, 1947  
[H. R. 1260]  
[Public Law 345]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 107 of title 2 of the Canal Zone Code, approved June 19, 1934, is amended by adding at the end thereof the following:

"In the case of any annuitant retired under the provisions of this article prior to July 29, 1942, the annuity shall be recomputed and paid in accordance with section 96 of this title, as amended July 29, 1942."

SEC. 2. Nothing herein shall be so construed as to reduce the annuity of any such person nor shall any increase in annuity commence before the first day of the month following the month in which this Act is approved.

Approved August 4, 1947.

48 Stat. 1122.

Recomputation of  
annuity, etc.

[CHAPTER 471]

AN ACT

To amend section 1003 (b) of the Civil Aeronautics Act of 1938, as amended.

August 4, 1947  
[H. R. 2109]  
[Public Law 346]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1003 (b) of the Civil Aeronautics Act of 1938, as amended, is amended by striking out the second and third sentences thereof and inserting in lieu thereof the following: "In case of through service by air carriers and common carriers subject to the Interstate Commerce Act, it shall be the duty of the carriers parties thereto to establish just and reasonable rates, fares, or charges and just and reasonable classifications,

52 Stat. 1020.  
49 U. S. C. § 643 (b).

Rates for through  
service, etc.

Inclusion of state-  
ment in tariffs.

rules, regulations, and practices affecting such rates, fares, or charges, or the value of the service thereunder, and if joint rates, fares, or charges shall have been established with respect to such through service, just, reasonable, and equitable divisions of such joint rates, fares, or charges as between the carriers participating therein. Any air carrier, and any common carrier subject to the Interstate Commerce Act, which is participating in such through service and joint rates, fares, or charges, shall include in its tariffs, filed with the Civil Aeronautics Board or the Interstate Commerce Commission, as the case may be, a statement showing such through service and joint rates, fares, or charges."

Approved August 4, 1947.

#### [CHAPTER 472]

#### AN ACT

August 4, 1947  
[H. R. 2659]  
[Public Law 347]

To establish a program for the rehabilitation of alcoholics, promote temperance, and provide for the medical and scientific treatment of persons found to be alcoholics by the courts of the District of Columbia, and for other purposes.

Rehabilitation of  
alcoholics, D. C.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### PURPOSE

SECTION 1. The purpose of this Act is to establish a program for the rehabilitation of alcoholics, promote temperance, and provide for the medical, psychiatric, and other scientific treatment of chronic alcoholics; to minimize the deleterious effects of excessive drinking on those who pass through the courts of the District of Columbia; to reduce the financial burden imposed upon the people of the District of Columbia by the abusive use of alcoholic beverages, as is reflected in mounting accident rates, decreased personal efficiency, growing absenteeism, and a general increase in the amount and seriousness of crime in the District of Columbia, and to substitute for jail sentences for drunkenness medical and other scientific methods of treatment which will benefit the individual involved and more fully protect the public. In order to accomplish this purpose and alleviate the problem of chronic alcoholism, the courts of the District of Columbia are hereby authorized to take judicial notice of the fact that a chronic alcoholic is a sick person and in need of proper medical, institutional, advisory, and rehabilitative treatment, and the court is authorized to direct that he receive appropriate medical, psychiatric, or other treatment as provided under the terms of this Act.

#### DEFINITIONS

"Chronic alcoholic."

SEC. 2. The term "chronic alcoholic" means any person who chronically and habitually uses alcoholic beverages to the extent that he has lost the power of self-control with respect to the use of such beverages, or while under the influence of alcohol endangers the public morals, health, safety, or welfare.

Establishment and  
equipment of clinic.

SEC. 3. (a) The Commissioners of the District of Columbia are hereby authorized and directed to establish and equip a clinic in connection either with some existing hospital or with some correctional institution or other facility for the diagnosis, classification, hospitalization, confinement, treatment, and study of persons who are found to be chronic alcoholics, as defined herein, by the Municipal Court for the District of Columbia.

Use of clinic serv-  
ices.

(b) The Commissioners of the District of Columbia are also directed to utilize the alcoholic clinic services for the treatment of the

chronic alcoholic as authorized by this Act and for the purpose of preparing and administering a program for the rehabilitation of alcoholics and the promotion of temperance through teaching and training of professional personnel and use through community organization.

SEC. 4. In any criminal case, brought to trial before the Municipal Court for the District of Columbia, in which the evidence indicates that the defendant is a chronic alcoholic within the meaning of section 2 above, the judge may suspend the proceedings in the case and order that a hearing be held, upon sufficient notice, to determine whether the defendant is a chronic alcoholic. The hearing shall be conducted by the judge without a jury, unless the defendant requests a jury. The defendant shall be entitled to representation at the hearing by an attorney of his own choice, and if the defendant does not select an attorney, the court shall appoint an attorney to represent the defendant. If, after the hearing, the judge, or the jury, as the case may be, determines that the defendant is a chronic alcoholic, the court may order that he be committed to the clinic for diagnosis, classification, and treatment as his condition may require, provided the term of commitment shall not exceed ninety days.

Suspension of proceedings in criminal case; hearing.

SEC. 5. The director of the clinic shall provide a classification and diagnostic center. Every person committed to the clinic shall first be sent to this classification and diagnostic center for observation, examination, and classification. The classification center shall make a complete study of each person committed, including mental and physical condition, personal traits, pertinent circumstances of school and family life, and any delinquency, criminal experience, or other factors contributing to his addiction to alcohol.

Classification and diagnostic center.

SEC. 6. (a) The director may then recommend to the committing judge that the person committed (1) be permitted to remain at liberty conditionally and under supervision, or (2) be placed in an appropriate agency, hospital, institution in the District of Columbia for treatment as a chronic alcoholic, or (3) be returned to the court from which he was committed for trial upon the original offense charged or for such action as the court may deem proper. The court may thereupon, in its discretion, issue such orders as it deems necessary and proper in the case.

Recommendation to committing judge.

(b) The Attorney General of the United States may, in order to carry out the purposes of this Act, designate the director of the clinic as his authorized representative under section 11 of the Act entitled "An Act to establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes", approved July 15, 1932, as amended (D. C. Code, 1940 edition, sec. 24-425).

Authorized representative of Attorney General.

54 Stat. 244.

SEC. 7. At the expiration of the term of commitment the chronic alcoholic must be discharged, unless the director of the clinic recommends to the court prior to the expiration of the term of commitment that he is in need of additional treatment in an appropriate hospital or institution, in which event the court will conduct a second hearing, in the same manner and upon the same conditions as provided in section 4 for the first hearing, as to his condition, and may order the chronic alcoholic recommitted for an additional period of ninety days or less as his condition requires.

Expiration of term of commitment.

SEC. 8. A chronic alcoholic committed to the clinic and who is permitted to remain at liberty or conditionally released shall be under the supervision of the probation office of the court in which he was committed, or the clinic, or such other agency, public or private, as the court may determine.

Release under supervision of probation office.

SEC. 9. No chronic alcoholic shall be committed to a clinic, agency, hospital, or institution under the terms of this Act until the District

Certification of extent of facilities, etc.

Commissioners shall certify to the municipal court for the District of Columbia the extent to which proper and adequate treatment facilities and personnel have been provided to carry out the purposes of this Act.

Voluntary submission to treatment, etc.

SEC. 10. (a) Any resident of the District of Columbia who is a chronic alcoholic within the meaning of this Act may voluntarily submit himself for admission, examination, and treatment in the clinic. If he is found to be a chronic alcoholic, the applicant may be admitted to the clinic for such period of time as is estimated by the director as necessary to effect a cure. He may be given such treatment, guidance, and help as the director deems appropriate except that he may not be committed to a correctional institution. Any such chronic alcoholic voluntarily applying may be required to pay the cost of his subsistence, care, and treatment. All such money shall be covered into the credit of the appropriation from which the expenditure was made. The Commissioners may establish or approve such rules and regulations as may be necessary to carry out the provisions of this section.

Payment.

Rights as U. S. citizen.

(b) Any resident of the District of Columbia who voluntarily submits himself for admission and treatment in the clinic shall not forfeit or abridge thereby any of his rights as a citizen of the United States, nor shall the fact that he has submitted himself for admission and treatment or that he has been given help or has submitted himself to any study, treatment, or guidance be used against him in any proceeding in any court. The record of any application under this section by any individual for admission and treatment in the clinic and the record of any study of, or treatment, guidance, or help furnished to, any individual admitted in the clinic under this section shall be confidential, and not be divulged except on order of the court. No order may be made under section 6 with respect to any such individual except as provided under the rules and regulations of the Commissioners in effect at the time such individual voluntarily submitted himself for admission and treatment in the clinic.

Record of application.

Contract for treatment, etc.

SEC. 11. The Commissioners of the District of Columbia may contract with any appropriate agency not under its control, which has proper and adequate treatment facilities and personnel to carry out the purposes of this Act, for the custody, care, subsistence, treatment, and training of persons committed to the alcoholic clinic herein authorized.

Director of clinic.

SEC. 12. The Commissioners of the District of Columbia are authorized and directed to appoint a director of the clinic, who shall be a qualified physician with such training in psychiatry as they may prescribe, the necessary medical officers, psychiatrists, probation officers, social-case workers, and other personnel needed to carry out the purposes of this Act.

Recommendations by director.

Publication of data, etc.

SEC. 13. The director of the clinic shall from time to time submit to the Commissioners such recommendations as will further the rehabilitation of chronic alcoholics, prevent the excessive and abusive use of alcoholic beverages, promote temperance, and he shall also gather and publish as complete and accurate data as is possible relating to the physiological, psychological, economic, and social effects of the abusive use of alcoholic beverages and shall prepare and publish materials, data, and information to be used in a program of public education in the District of Columbia directed toward the prevention and use of alcoholic beverages excessively and abusively.

License fees for sale, etc., of alcoholic beverages.

SEC. 14. The annual fees for licenses for the manufacture or sale of alcoholic beverages, except for retailer's license, class E, imposed by

section 11 of the District of Columbia Alcoholic Beverage Control Act, as amended, are hereby increased by 10 per centum. The revenue resulting from the increase of such fees imposed by this section is hereby permanently appropriated to carry out the purposes of this Act.

48 Stat. 319.  
D.C. Code §§ 25-101  
to 25-138.

Committee.

SEC. 15. The Commissioners shall appoint a committee, to be composed of six outstanding residents of the District of Columbia, to advise and consult with the Commissioners and to assist them in carrying out the provisions of this Act. The members of the committee shall serve without compensation and shall serve for a period of one year and until their successors are appointed.

Approved August 4, 1947.

[CHAPTER 473]

AN ACT

To extend second-class mailing privileges to bulletins issued by State conservation and fish and game agencies or departments.

August 4, 1947  
[H. R. 2857]  
[Public Law 345]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the ninth paragraph under the heading "Office of the Third Assistant Postmaster General" of the first section of the Act entitled "An Act making appropriations for the service of the Post Office Department for the fiscal year ending June thirtieth, nineteen hundred and thirteen, and for other purposes", approved August 24, 1912 (U. S. C., 1940 edition, title 39, sec. 229), is amended by inserting after "issued by State boards of health," the following: "by State conservation and fish and game agencies or departments,".

37 Stat. 550.

Approved August 4, 1947.

[CHAPTER 474]

AN ACT

To enable Osage Indians who served in World War II to obtain loans under the Servicemen's Readjustment Act of 1944, and for other purposes.

August 4, 1947  
[H. R. 3325]  
[Public Law 349]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the provisions of section 6 of the Act approved February 27, 1925 (43 Stat. 1008), as amended by section 5 of the Act approved March 2, 1929 (45 Stat. 1478), which make invalid contracts of debt entered into by certain members of the Osage Tribe of Indians, shall not apply to any debt contracted pursuant to title III of the Servicemen's Readjustment Act of 1944 by any member of such tribe who, by reason of his service in the armed forces of the United States during World War II, is eligible for the benefits of such title III; and any other member of the Osage Tribe upon attaining the age of twenty-one years may contract a valid debt without approval of the Secretary of the Interior: *Provided,* That the Osage lands and funds and any other property which has heretofore or which may hereafter be held in trust or under supervision of the United States for such Osage Indians not having a certificate of competency shall not be subject to lien, levy, attachment, or forced sale to satisfy any debt or obligation contracted or incurred prior to the issuance of a certificate of competency.

Osage Tribe of Indians.  
Loans.

58 Stat. 291.  
38 U. S. C. §§ 694-694e.  
*Ante*, p. 454.

Lands not subject to lien, etc.

Approved August 4, 1947.



## [CHAPTER 475]

## AN ACT

August 4, 1947  
[H. R. 3501]  
[Public Law 350]

To amend the Armed Forces Leave Act of 1946, approved August 9, 1946 (Public Law 704, Seventy-ninth Congress, second session, 60 Stat. 963), and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 4 of the Armed Forces Leave Act of 1946 is hereby amended to read as follows:

"SEC. 4. (a) Leave to be settled and compensated for under section 6 of this Act shall be compensable as follows:

60 Stat. 964.  
37 U. S. C. § 33.  
Compensable leave.

Enlisted members.

"(1) In the case of leave accumulated as an enlisted member of the armed forces, on the basis of the base and longevity pay applicable to such member on the date of his discharge from enlisted service if discharged before August 31, 1946, or on August 31, 1946, if not so discharged, and an allowance computed at the rate of 70 cents a day for subsistence, plus, in the case of enlisted members of the first three grades with dependents on August 31, 1946, or former enlisted members of the first three grades with dependents at the time of discharge if prior to such date, an allowance computed at the rate of \$1.25 a day for quarters.

Warrant or commissioned officers.

"(2) In the case of leave accumulated or accrued as a member of the armed forces as a warrant or commissioned officer, on the basis of the base and longevity pay and allowances applicable to such member on August 31, 1946.

Absence on account of sickness, etc., after Aug. 31, 1946.

"(b) After August 31, 1946, members of the armed forces when absent on account of sickness or wounds, or when directed by the Secretary to be absent from duty to await orders pending action on disability retirement proceedings for any period in excess of the number of days' leave authorized by this Act, shall receive the same pay and allowances they would receive if not so absent; when absent with leave for other causes, members shall be entitled during such absence not exceeding the aggregate number of days' leave authorized by this Act to the same pay and allowances they would receive if not on leave and to any additional allowance or allowances otherwise provided by law for members while on leave. When the Secretary authorizes members to be absent in excess of the number of days' leave authorized by this Act, they shall not be entitled to any pay or allowances during such absence. When absent without leave or absent over leave, they shall forfeit all pay and allowances during such absence, unless such absence is excused as unavoidable. The Secretary of War may authorize persons who have accepted appointments as commissioned officers of the Regular Army pursuant to the provisions of the Act of December 28, 1945 (Public Law 281, Seventy-ninth Congress), as amended, to be absent from duty to await orders assigning them to their initial-duty stations and during such absence they shall receive the same pay and allowances they would receive if not so absent.

Other leave.

Absence without leave, etc.

59 Stat. 663.  
10 U. S. C. §§ 505-505d, 481, 552c, 552a.  
*Ante*, p. 95.

Members discharged after Aug. 31, 1946.

"(c) Any member of the armed forces discharged after August 31, 1946, having unused accrued leave standing to his credit at time of discharge shall be compensated for such unused leave in cash on the basis of the base and longevity pay, and allowances, applicable to such member on the date of discharge including for enlisted persons the allowances as provided for such enlisted persons in subsection (a) of this section: *Provided*, That no cash settlement shall be made to any member (1) discharged for the purpose of accepting a commission or warrant or entering into an enlistment in his respective branch

Exclusion from cash settlement.

of the armed forces, or (2) electing to carry over such unused leave to a new enlistment in his respective branch of the armed forces on the day following date of discharge. A member excluded from cash settlement by the foregoing provision and a member reverting from warrant or commissioned officer to enlisted status shall carry any unused accrued leave standing to his credit from one status to another within his respective branch of the armed forces. Unused leave settled and compensated for in cash in accordance with this subsection shall not be considered as service for any purpose. Settlement and compensation in accordance with this subsection shall be made only to a living member or living former member of the armed forces.

Member reverting to enlisted status, etc.

“(d) Any member of the armed forces discharged under other than honorable conditions shall forfeit all unused accrued leave to his credit at the time of discharge.

Forfeiture of unused accrued leave.

“(e) Determination of the number of calendar days of leave to which a member or former member is entitled, including the number of calendar days of absence from duty or vacation to be counted or charged against such leave, shall be made in accordance with regulations to be prescribed by the respective Secretaries, which regulations shall provide equal treatment of officers and enlisted men and shall establish to the fullest extent practicable uniform policies for the several branches of the armed forces. In the case of the leave of enlisted members or former enlisted members attributable to the period prior to the date of enactment of this Act, the Secretary may in the determination of the number of calendar days of absence from duty or vacation to be counted or charged against such leave rely on such records and evidence, including applicants' sworn statements as to the material facts, as he may determine proper. All decisions by the Secretary under this section shall be final and conclusive and shall not be subject to review by any court or by any officer of the United States.”

Determination of number of days.

SEC. 2. A member of the armed forces transferred or returned to an inactive status with retired or retainer pay on or prior to the last day of the first calendar month following the date of enactment of this Act, or a member who is on leave on such date, at the expiration of which he will be transferred or returned to an inactive status with retired or retainer pay, shall not be entitled to settlement of compensation under section 4 (c) of the Armed Forces Leave Act of 1946 as added by section 1 of this Act.

Finality of decisions.

Transfer or return to inactive status.

SEC. 3. The Armed Forces Leave Act of 1946 is further amended by adding at the end thereof the following new section:

*Ante*, p. 748.

60 Stat. 963.  
10 U. S. C. § 18 note.

“SEC. 10. The provisions of this Act shall not apply to cadets at the United States Military Academy or the United States Coast Guard Academy, or to midshipmen at the United States Naval Academy, or to cadets or midshipmen serving elsewhere in the armed forces. The respective Secretaries are authorized to prescribe regulations concerning leave for cadets and midshipmen.”

Nonapplicability.

SEC. 4. Section 1265, Revised Statutes (10 U. S. C. 841); the last paragraph appearing under the heading “Mileage”, Act of May 28, 1924 (ch. 203, 43 Stat. 202), and the last paragraph appearing under the heading “Mileage”, Act of February 11, 1925 (ch. 209, 43 Stat. 879; 34 U. S. C. 871), are hereby repealed.

Repeals.

Approved August 4, 1947.

## [CHAPTER 476]

## AN ACT

August 4, 1947  
[H. R. 3852]  
[Public Law 351]

To amend the Act entitled "An Act for the retirement of public school teachers in the District of Columbia", approved August 7, 1946.

60 Stat. 879.  
*Ante*, p. 280.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 7 of the Act entitled "An Act for the retirement of public school teachers in the District of Columbia", approved August 7, 1946, be, and the same hereby is, amended by striking out the word "twenty" and inserting in lieu thereof the word "fifty".

Approved August 4, 1947.

## [CHAPTER 477]

## AN ACT

August 4, 1947  
[H. R. 3862]  
[Public Law 352]

To authorize the Federal Works Administrator to grant and convey to Montgomery County, Pennsylvania, a certain parcel of land of the United States in Norristown Borough, Montgomery County, Pennsylvania, for the purpose of erecting an additional annex to the present courthouse.

Montgomery  
County, Pa.  
Conveyance.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Federal Works Administrator is hereby authorized to sell and convey to Montgomery County, Pennsylvania, at a purchase price of not less than 50 per centum of the appraised value of the land as determined by the Federal Works Agency, a certain parcel of land, hereinafter described, which is a part of the property of the United States of America, upon which the Norristown Post Office is erected, said parcel of land to be held and used by the county of Montgomery for the purpose of erecting an additional annex to the present courthouse.

The aforesaid parcel of land is situated in Norristown Borough, Montgomery County, Pennsylvania, bounded and described in accordance with a plan and survey thereof, prepared for Montgomery County by Warren F. Cressman, county engineer, a registered professional engineer, February 12, 1924, and approved by the Board of Commissioners of Montgomery County, September 17, 1945, as follows to wit:

Beginning at a point on the northeasterly side of Penn Street (forty feet wide) at the distance of three hundred and fifty-two feet and ten and three-quarters inches northwestwardly from the northwesterly side of De Kalb Street (sixty-six feet wide), said point being a corner in the property line of the United States of America post-office property and county of Montgomery property; thence extending along said property line north twenty-nine degrees eight minutes east one hundred and nine feet and one-half inch to a point, a corner of the above-mentioned properties and property of the Reformed Church of the Ascension; thence extending along the property line of the United States of America and the Reformed Church of the Ascension south sixty-one degrees ten minutes east eighteen feet and six and one-quarter inches to a point, a corner of the United States of America property and property of the Reformed Church of the Ascension; thence extending through the property of the United States of America south twenty-eight degrees forty-eight minutes west one hundred and nine feet and three-quarters of an inch to a point in the northeasterly side of the aforesaid Penn Street, the aforesaid line being a continuation of the property line of the Reformed Church of the Ascension property and property of the United States of America; thence along the said northeasterly side of Penn Street north sixty-one degrees seven minutes west nineteen feet and one and three-quarters inches to the place of beginning; containing two thousand and fifty-four square feet of land, more or less.

Approved August 4, 1947.

## [CHAPTER 478]

## AN ACT

To authorize certain expenditures from the appropriation of Saint Elizabeths Hospital, and for other purposes.

August 4, 1947  
[H. R. 3870]  
[Public Law 353]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Federal Security administrator is authorized to admit to Saint Elizabeths Hospital in the District of Columbia, for care and treatment, upon application of the Secretary of the Interior, beneficiaries of the Bureau of Indian Affairs. The cost of such care and treatment shall be paid for by the Bureau of Indian Affairs.

Saint Elizabeths  
Hospital, D. C.  
Admission of bene-  
ficiaries of Bureau of  
Indian Affairs, etc.

SEC. 2. Any executive department of the Federal Government (including any agency, independent establishment, or wholly owned instrumentality thereof, and including the District of Columbia) requiring Saint Elizabeths Hospital to care for patients for whom such department is responsible, shall, except to the extent that the expense of such care is authorized to be paid from appropriations to the hospital for the care of patients, pay by check to Saint Elizabeths Hospital, upon the Superintendent's request, either in advance or by way of reimbursement at the end of each calendar month or calendar quarter, such amounts as the Superintendent calculates to be due for such care on the basis of a per diem rate approved by the Bureau of the Budget. Bills rendered by the Superintendent on the basis of such calculations shall not be subject to audit or certification in advance of payment; but proper adjustment of amounts which have been paid in advance on the basis of such calculations shall be made monthly or quarterly, as may be agreed upon by the Superintendent of the hospital and the executive department concerned.

Patients for whom  
departments are re-  
sponsible.  
Payment for care,  
etc.

SEC. 3. All sums paid to the Superintendent of Saint Elizabeths Hospital for the care of patients shall be deposited in the Treasury to the credit of the appropriation for the care of patients at the hospital for the year in which such care is provided.

Crediting of pay-  
ments.

SEC. 4. The Superintendent of Saint Elizabeths Hospital is authorized to operate and maintain at the hospital necessary facilities for feeding employees and others (at not less than cost, as determined by the Federal Security Administrator), and the proceeds from such operation shall be deposited in the Treasury to the credit of the appropriation for the operation of Saint Elizabeths Hospital.

Facilities for feed-  
ing employees, etc.

SEC. 5. Appropriations for the care of persons in Saint Elizabeths Hospital shall be available for expenditure for furnishing, repairing, and cleaning such wearing apparel as may be prescribed by the superintendent of the hospital, for use by employees in the performance of their official duties; reimbursing employees, subject to regulations of the Federal Security Administrator, for the cost of repairing or replacing their personal belongings damaged or destroyed by patients while such employees are engaged in the performance of their official duties; expenses incurred in pursuing, identifying, and returning patients who escape from the hospital or from the custody of any employee, including rewards for the capture of such patients; expenses incurred in ascertaining the residence of patients whose care is not, or whose care is no longer, authorized at the hospital, and in returning such patients to their places of residence; expenses incurred in the removal of patients to their friends; and repairs, replacements, and minor improvements to the buildings and grounds of the hospital.

Availability of ap-  
propriations.

Approved August 4, 1947.

## [CHAPTER 479]

## AN ACT

August 4, 1947  
[H. R. 4010]  
[Public Law 354]

To authorize the Treasury Department and the United States Government Printing Office to furnish, or to procure and furnish, administrative materials, supplies, and equipment to public international organizations on a reimbursable basis.

International Or-  
ganizations Procure-  
ment Act of 1947.

"International or-  
ganization."

22 U. S. C. § 288  
note.  
"Administrative  
supplies."

Furnishing of ad-  
ministrative supplies.

Crediting of reim-  
bursement.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That this Act may be cited as the "International Organizations Procurement Act of 1947".

SEC. 2. When used in this Act—

(1) The term "international organization" means any public international organization having its headquarters in the United States and entitled to enjoy, in whole or in part, the privileges, exemptions, and immunities authorized by and in accordance with the International Organizations Immunities Act (59 Stat. 669).

(2) The term "administrative supplies" means materials, supplies, and equipment used in housekeeping, maintenance, and office operations.

SEC. 3. Until July 1, 1948, the Treasury Department and the United States Government Printing Office may upon the request of any international organization and upon its agreement to pay the costs and expenses thereof by advancement of funds or by reimbursement, or by both, furnish, or procure and furnish, to such international organization administrative supplies: *Provided*, That to the extent found by the Treasury Department or the United States Government Printing Office, respectively, to be necessary and appropriate in order to protect the interests of the United States Government in having access to sufficient supplies for its own needs, such international organization shall be required to indicate its needs and the intended use of such administrative supplies before they shall be furnished, or procured and furnished, to such international organization: *Provided further*, That when reimbursement is made, it shall be credited either to the appropriation, fund, or account utilized in incurring the obligation, or to the appropriate appropriation, fund, or account which is current at the time of such reimbursement.

Approved August 4, 1947.

## [CHAPTER 480]

## AN ACT

August 4, 1947  
[H. R. 4140]  
[Public Law 355]

Granting the consent of Congress to a compact or agreement between the Commonwealth of Pennsylvania and the State of New Jersey concerning the Delaware River Joint Toll Bridge Commission, and for other purposes.

Compact between  
Pennsylvania and  
New Jersey.  
Delaware River  
Joint Toll Bridge  
Commission.

Operation, etc., of  
bridges free of tolls.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the consent of Congress is hereby given to the compact or agreement set forth below, and to each and every term and provision thereof: *Provided*, That nothing herein contained shall be construed to affect, impair, or diminished any right, power, or jurisdiction of the United States or of any court, department, board, bureau, officer, or official of the United States, over or in regard to any navigable waters, or any commerce between the States or with foreign countries, or any bridge, railroad, highway, pier, wharf, or other facility or improvement, or any other person, matter, or thing, forming the subject matter of the aforesaid compact or agreement or otherwise affected by the terms thereof: *And provided further*, That after the costs of the bridges in a single project have been amortized, such bridges shall thereafter be maintained and operated free of tolls.

“SUPPLEMENTAL AGREEMENT  
BETWEEN THE  
COMMONWEALTH OF PENNSYLVANIA  
AND THE  
STATE OF NEW JERSEY

“AMENDING THE AGREEMENT ENTITLED ‘AGREEMENT BETWEEN THE COMMONWEALTH OF PENNSYLVANIA AND THE STATE OF NEW JERSEY CREATING THE DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION AS A BODY CORPORATE AND POLITIC AND DEFINING ITS POWERS AND DUTIES’, BY EXTENDING THE JURISDICTION, POWERS, AND DUTIES OF THE COMMISSION AND DEFINING SUCH ADDITIONAL JURISDICTION, POWERS, AND DUTIES

“Whereas, The Delaware River Joint Toll Bridge Commission (hereinafter referred to as the ‘commission’) was created by a compact or agreement entitled ‘Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties’, executed on behalf of the Commonwealth of Pennsylvania by its Governor on the nineteenth day of December, one thousand nine hundred and thirty-four, pursuant to an act of its General Assembly approved the twenty-fifth day of June, one thousand nine hundred and thirty-one (phamphlet laws, one thousand three hundred fifty-two), as last amended by an act of said General Assembly approved the eighteenth day of May, one thousand nine hundred and thirty-three (phamphlet laws, eight hundred twenty-seven), and executed on behalf of the State of New Jersey by its Governor on the eighteenth day of December, one thousand nine hundred and thirty-four, pursuant to an act of its Senate and General Assembly approved June eleventh, one thousand nine hundred and thirty-four (chapter 215, laws of 1934; R. S. (1937) 32: 8-1), to which compact or agreement the consent of the Congress of the United States was given by section 9 of an act of the Congress approved August 30, 1935 (Public No. 411, 74th Congress, 49 Stat. 1051, 1058), and under the provisions of which compact or agreement the commission was authorized to administer, maintain and operate certain bridges over the Delaware river and now maintains and operates the same as joint State-owned free bridges; and

“WHEREAS, Because of the great increase in traffic and loads over said bridges since their construction, many of said bridges are now inadequate or unsafe, and it will be necessary to rehabilitate or replace some or all of said bridges with new bridges at the same or different locations in order to provide safe, adequate and convenient facilities for traffic crossing the Delaware river; and

“WHEREAS, It is necessary that the commission have power to issue and sell its bridge revenue bonds, for rehabilitating or replacing existing bridges with new bridges at the same or different locations, for acquiring or constructing additional bridges, and for refunding any bridge revenue bonds of the commission, and that the commission also have power to fix, charge and collect tolls, rates, rents and other charges for the use of any such new bridge or bridges; now therefore,

“The Commonwealth of Pennsylvania and the State of New Jersey do hereby solemnly covenant and agree, each with the other, as follows:

“(1) Article IX of the Agreement between the Commonwealth of

49 Stat. 1063.

Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties, which was executed on behalf of the Commonwealth of Pennsylvania by its Governor on the nineteenth day of December, one thousand nine hundred and thirty-four, and was executed on behalf of the State of New Jersey by its Governor on the eighteenth day of December, one thousand nine hundred and thirty-four, be and the same is hereby amended to read as follows:

#### “ARTICLE IX

Annual reports.

“The Commission shall make annual reports to the Governors and Legislatures of the Commonwealth of Pennsylvania and the State of New Jersey, setting forth in detail its operations and transactions and may make such additional reports, from time to time, to the Governors and Legislatures as it may deem advisable.

49 Stat. 1064.

“(2) Article X of said Agreement be and the same is hereby amended to read as follows:

#### “ARTICLE X

“Notwithstanding any other provision of this Agreement, the Commission shall have the following powers:

Construction, operation, etc., of bridges.

“(a) The commission may acquire, construct, rehabilitate, improve, maintain, repair and operate bridges for vehicular or pedestrian traffic across the Delaware river between the Commonwealth of Pennsylvania and the State of New Jersey at any locations north of the boundary line between Mercer County and Burlington County in the State of New Jersey as extended across the Delaware river to the Pennsylvania shore of said river.

Replacement of existing bridges.

“(b) The commission may replace any one or more existing bridges across the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey north of said line with one or more new bridges at such locations as the commission may determine to be adequate and convenient for the traffic to be served thereby.

Acquisition by purchase, etc.

“(c) The commission may acquire by purchase or by the exercise of the power of eminent domain any existing ferry or bridge the acquisition of which the commission may determine to be necessary or advisable in connection with the construction of a new bridge, the cost of such acquisition to be deemed to be a part of the cost of such construction.

Use of streets, etc.

“(d) The commission may enter upon, use, occupy, enlarge, construct and improve any street, road or highway located within the limits of any municipality and deemed by the commission to be necessary in connection with the acquisition, construction, improvement, maintenance or operation of any bridge owned or operated by the commission or of any bridge approaches, bridge plazas or approach highways to any such bridge, subject, however, to the consent of the governing body of such municipality and to such reasonable police regulations as may be established by such governing body.

Demolition and removal of bridges.

“(e) The commission may demolish and remove any bridge now operated by it when such bridge has been or is being replaced by a new bridge at the same or a different location which in the determination of the commission will serve substantially the same traffic as that served by such existing bridge, and the commission may sell or otherwise dispose of any ferry or other property of the commission deemed by it to be no longer useful or needed for the purposes of the commission.

Acquisition of real property.

“(f) The commission may acquire for the purposes of this article any real property which it shall find necessary or convenient to acquire

for public use in the manner provided by Article III of this Agreement, or, in the alternative, in the Commonwealth of Pennsylvania in the same manner and with the same right of entry as the highway department of the Commonwealth may acquire lands by condemnation for highway purposes and in the State of New Jersey in the same manner and with the same right of entry as the highway department of the State may acquire lands by condemnation for highway purposes.

49 Stat. 1060.

“(g) The commission may make and enforce such rules and regulations with respect to the use of any bridge operated by it as it shall deem proper and reasonable, including regulations limiting the loads permitted on any such bridge and closing to traffic any such bridge deemed by the commission to be unsafe.

Rules and regulations.

“(h) The commission may provide, from time to time, for the issuance of its bridge revenue bonds for any one or more of the following purposes: (1) providing funds for the acquisition, construction, rehabilitation or improvement of any one or more bridges the acquisition, construction, rehabilitation or improvement of which is herein authorized; (2) providing funds for the construction or improvement of approach facilities deemed by the commission to be necessary or desirable in connection with the acquisition, construction, maintenance or operation of any bridge owned or operated by the commission, including but without limitation bridge approaches, entrance plazas, overpasses, underpasses and approach highways; and (3) refunding any bridge revenue bonds or bridge revenue refunding bonds of the commission. The bridge or bridges (including any approach facilities) on account of which a single issue of bonds shall be issued as herein authorized shall constitute a single project for financing purposes.

Issuance of revenue bonds.

“(i) The commission may fix, charge and collect tolls, rates, rents and other charges for the use of any bridge or bridges constituting a single project, such tolls to be so fixed and adjusted, subject to any applicable Federal law, as to provide funds at least sufficient (1) to pay the cost of maintaining, repairing and operating such bridge or bridges, including the administrative expenses of the commission chargeable thereto, (2) to pay the bridge revenue bonds or the bridge revenue refunding bonds issued on account of such project and the interest on such bonds, and (3) to provide reserves for such purposes; provided, however, that no tolls shall be charged or collected for the use of any bridge now operated by the commission as a free bridge but only for the use of bridges constructed or acquired by the commission under the provisions of this compact or agreement. Subject to any applicable Federal law, the commission may pledge such tolls, rates, rents and other revenues or any part thereof for such purposes. The commission may establish separate schedules of tolls, rates and charges for use of any bridge on which tolls may be established hereunder by residents of areas adjacent to or served directly by such bridge under such conditions and on such terms as it shall determine to be proper and reasonable, including tolls, rates and charges for unlimited use of any such bridge.

Tolls, etc.

“No member of the commission shall be subject to any personal liability or accountability by reason of any act or omission of the commission.

Nonliability of members.

“IN WITNESS WHEREOF, this 3rd day of July, 1947, ALFRED E. DRISCOLL has affixed his signature hereto as Governor of the State of New Jersey and caused the great seal of the State to be attached thereto.

(SEAL)

“ALFRED E. DRISCOLL  
Governor, State of New Jersey.



"And, on this 8th day of July, 1947, JAMES H. DUFF has affixed his signature hereto as Governor of the Commonwealth of Pennsylvania and caused the great seal of the Commonwealth to be attached thereto.

"J<sup>AS. H. DUFF</sup>

"Governor, Commonwealth of Pennsylvania."

(GREAT SEAL)

Approved August 4, 1947.

[CHAPTER 481]

AN ACT

August 4, 1947  
[H. R. 4257]  
[Public Law 356]

To provide an extension of time for claiming credit or refund with respect to war losses.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That if a claim for credit or refund under the internal-revenue laws relates to an overpayment on account of the deductibility by the taxpayer of a loss in respect of property considered destroyed or seized under section 127 (a) of the Internal Revenue Code, relating to war losses, for a taxable year beginning in 1941 or 1942, the three-year period of limitation prescribed in section 322 (b) (1) of the Internal Revenue Code shall in no event expire prior to December 31, 1948. In the case of such a claim filed on or before December 31, 1948, the amount of the credit or refund may exceed the portion of the tax paid within the period provided in section 322 (b) (2) or (3) of the Internal Revenue Code, whichever is applicable, to the extent of the amount of the overpayment attributable to the deductibility of the loss described in this section.

Approved August 4, 1947.

[CHAPTER 482]

JOINT RESOLUTION

August 4, 1947  
[S. J. Res. 144]  
[Public Law 357]

Authorizing the President to bring into effect an agreement between the United States and the United Nations for the purpose of establishing the permanent headquarters of the United Nations in the United States and authorizing the taking of measures necessary to facilitate compliance with the provisions of such agreement, and for other purposes.

Permanent head-  
quarters of United  
Nations.  
59 Stat. 1031.

Whereas the Charter of the United Nations was signed on behalf of the United States on June 26, 1945, and was ratified on August 8, 1945, by the President of the United States, by and with the advice and consent of the Senate, and the instrument of ratification of the said Charter was deposited on August 8, 1945; and

Whereas the said Charter of the United Nations came into force with respect to the United States on October 24, 1945; and

59 Stat. 1053.

Whereas article 104 of the Charter provides that "The Organization shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfillment of its purposes"; and

59 Stat. 1053.

Whereas article 105 of the Charter provides that:

"1. The Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfillment of its purposes.

"2. Representatives of the Members of the United Nations and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.

“3. The General Assembly may make recommendations with a view to determining the details of the application of paragraphs 1 and 2 of this article or may propose conventions to the Members of the United Nations for this purpose.”; and

Whereas article 28 and other articles of the Charter of the United Nations contemplate the establishment of a seat for the permanent headquarters of the Organization; and

59 Stat. 1041.

Whereas the interim arrangements concluded on June 26, 1945, by the governments represented at the United Nations Conference on International Organization instructed the Preparatory Commission established in pursuance of the arrangements to “make studies and prepare recommendations concerning the location of the permanent headquarters of the Organization”; and

Whereas during the labors of the said Preparatory Commission, the Congress of the United States in H. Con. Res. 75, passed unanimously by the House of Representatives December 10, 1945, and agreed to unanimously by the Senate December 11, 1945, invited the United Nations “to locate the seat of the United Nations Organization within the United States”; and

59 Stat. 848.

Whereas the General Assembly on December 14, 1946, resolved “that the permanent headquarters of the United Nations shall be established in New York City in the area bounded by First Avenue, East Forty-eighth Street, the East River, and East Forty-second Street”; and

Whereas the General Assembly resolved on December 14, 1946, “That the Secretary-General be authorized to negotiate and conclude with the appropriate authorities of the United States of America an agreement concerning the arrangements required as a result of the establishment of the permanent headquarters of the United Nations in the city of New York” and to be guided in these negotiations by the provisions of a preliminary draft agreement which had been negotiated by the Secretary-General and the Secretary of State of the United States; and

Whereas the General Assembly resolved on December 14, 1946, that pending the coming into force of the agreement referred to above “the Secretary-General be authorized to negotiate and conclude arrangements with the appropriate authorities of the United States of America to determine on a provisional basis the privileges, immunities, and facilities needed in connection with the temporary headquarters of the United Nations.”; and

Whereas the Secretary of State of the United States, after consultation with the appropriate authorities of the State and city of New York, signed at Lake Success, New York, on June 26, 1947, on behalf of the United States an agreement with the United Nations regarding the headquarters of the United Nations, which agreement is incorporated herein; and

Whereas the aforesaid agreement provides that it shall be brought into effect by an exchange of notes between the United States and the Secretary-General of the United Nations: Therefore be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President is hereby authorized to bring into effect on the part of the United States the agreement between the United States of America and the United Nations regarding the headquarters of the United Nations, signed at Lake Success, New York, on June 26, 1947 (hereinafter referred to as the “agreement”), with such changes therein not contrary to the general tenor thereof and not imposing any additional obligations on the United States as the President may deem necessary and appropriate,

Authority to bring agreement into effect on part of U. S.

Supplemental agree-  
ments.

Approval of Con-  
gress.  
*Post*, p. 759.

and at his discretion, after consultation with the appropriate State and local authorities, to enter into such supplemental agreements with the United Nations as may be necessary to fulfill the purposes of the said agreement: *Provided*, That any supplemental agreement entered into pursuant to section 5 of the agreement incorporated herein shall be submitted to the Congress for approval. The agreement follows:

## AGREEMENT BETWEEN THE UNITED NATIONS AND THE UNITED STATES OF AMERICA REGARDING THE HEADQUARTERS OF THE UNITED NATIONS

### THE UNITED NATIONS AND THE UNITED STATES OF AMERICA:

Desiring to conclude an agreement for the purpose of carrying out the Resolution adopted by the General Assembly on 14 December 1946 to establish the seat of the United Nations in The City of New York and to regulate questions arising as a result thereof;

Have appointed as their representatives for this purpose:

The United Nations:

TRYGVE LIE,

*Secretary-General*,

and

The United States of America:

GEORGE C. MARSHALL,

*Secretary of State*,

Who have agreed as follows:

### ARTICLE I—DEFINITIONS

#### SECTION 1

In this agreement:

"Headquarters dis-  
trict."  
*Post*, p. 766.

(a) The expression "headquarters district" means (1) the area defined as such in Annex 1, (2) any other lands or buildings which from time to time may be included therein by supplemental agreement with the appropriate American authorities;

"Appropriate  
American authori-  
ties."

(b) the expression "appropriate American authorities" means such federal, state, or local authorities in the United States as may be appropriate in the context and in accordance with the laws and customs of the United States, including the laws and customs of the state and local government involved;

"General Conven-  
tion."

(c) the expression "General Convention" means the Convention on the Privileges and Immunities of the United Nations approved by the General Assembly of the United Nations 13 February 1946, as acceded to by the United States;

"United Nations."

(d) the expression "United Nations" means the international organization established by the Charter of the United Nations, hereinafter referred to as the "Charter";

"Secretary-General."

(e) the expression "Secretary-General" means the Secretary-General of the United Nations.

### ARTICLE II—THE HEADQUARTERS DISTRICT

#### SECTION 2

The seat of the United Nations shall be the headquarters district.

## SECTION 3

The appropriate American authorities shall take whatever action may be necessary to assure that the United Nations shall not be dispossessed of its property in the headquarters district, except as provided in Section 22 in the event that the United Nations ceases to use the same; provided that the United Nations shall reimburse the appropriate American authorities for any costs incurred, after consultation with the United Nations, in liquidating by eminent domain proceedings or otherwise any adverse claims.

Dispossession of property.

*Post*, p. 764.

## SECTION 4

(a) The United Nations may establish and operate in the headquarters district:

Radio facilities.

(1) its own short-wave sending and receiving radio broadcasting facilities (including emergency link equipment) which may be used on the same frequencies (within the tolerances prescribed for the broadcasting service by applicable United States regulations) for radiotelegraph, radioteletype, radiotelephone, radiotelephoto, and similar services;

(2) one point-to-point circuit between the headquarters district and the office of the United Nations in Geneva (using single sideband equipment) to be used exclusively for the exchange of broadcasting programs and interoffice communications;

(3) low power micro-wave, low or medium frequency facilities for communication within headquarters buildings only, or such other buildings as may temporarily be used by the United Nations;

(4) facilities for point-to-point communication to the same extent and subject to the same conditions as permitted under applicable rules and regulations for amateur operation in the United States, except that such rules and regulations shall not be applied in a manner inconsistent with the inviolability of the headquarters district provided by Section 9 (a);

*Post*, p. 760.

(5) such other radio facilities as may be specified by supplemental agreement between the United Nations and the appropriate American authorities.

(b) The United Nations shall make arrangements for the operation of the services referred to in this section with the International Telecommunication Union, the appropriate agencies of the Government of the United States and the appropriate agencies of other affected governments with regard to all frequencies and similar matters.

(c) The facilities provided for in this section may, to the extent necessary for efficient operation, be established and operated outside the headquarters district. The appropriate American authorities will, on request of the United Nations, make arrangements, on such terms and in such manner as may be agreed upon by supplemental agreement, for the acquisition or use by the United Nations of appropriate premises for such purposes and the inclusion of such premises in the headquarters district.

Operation of facilities outside headquarters district.

## SECTION 5

In the event that the United Nations should find it necessary and desirable to establish and operate an aerodrome, the conditions for the location, use and operation of such an aerodrome and the conditions under which there shall be entry into and exit therefrom shall be the subject of a supplemental agreement.

Aerodrome.

## SECTION 6

Postal service.

In the event that the United Nations should propose to organize its own postal service, the conditions under which such service shall be set up shall be the subject of a supplemental agreement.

## ARTICLE III—LAW AND AUTHORITY IN THE HEADQUARTERS DISTRICT

## SECTION 7

Applicability of federal, state, and local law.

(a) The headquarters district shall be under the control and authority of the United Nations as provided in this agreement.

(b) Except as otherwise provided in this agreement or in the General Convention, the federal, state and local law of the United States shall apply within the headquarters district.

(c) Except as otherwise provided in this agreement or in the General Convention, the federal, state and local courts of the United States shall have jurisdiction over acts done and transactions taking place in the headquarters district as provided in applicable federal, state and local laws.

(d) The federal, state and local courts of the United States, when dealing with cases arising out of or relating to acts done or transactions taking place in the headquarters district, shall take into account the regulations enacted by the United Nations under Section 8.

## SECTION 8

Regulations.

The United Nations shall have the power to make regulations, operative within the headquarters district, for the purpose of establishing therein conditions in all respects necessary for the full execution of its functions. No federal, state or local law or regulation of the United States which is inconsistent with a regulation of the United Nations authorized by this section shall, to the extent of such inconsistency, be applicable within the headquarters district. Any dispute, between the United Nations and the United States, as to whether a regulation of the United Nations is authorized by this section or as to whether a federal, state or local law or regulation is inconsistent with any regulation of the United Nations authorized by this section, shall be promptly settled as provided in Section 21. Pending such settlement, the regulation of the United Nations shall apply, and the federal, state or local law or regulation shall be inapplicable in the headquarters district to the extent that the United Nations claims it to be inconsistent with the regulation of the United Nations. This section shall not prevent the reasonable application of fire protection regulations of the appropriate American authorities.

Settlement of disputes.

Post, p. 764.

Fire protection.

## SECTION 9

Inviolability of district.

(a) The headquarters district shall be inviolable. Federal, state or local officers or officials of the United States, whether administrative, judicial, military or police, shall not enter the headquarters district to perform any official duties therein except with the consent of and under conditions agreed to by the Secretary-General. The service of legal process, including the seizure of private property, may take place within the headquarters district only with the consent of and under conditions approved by the Secretary-General.

Service of legal process.

Refuge for persons avoiding arrest, etc., restriction.  
Post, p. 761.

(b) Without prejudice to the provisions of the General Convention or Article IV of this agreement, the United Nations shall prevent the headquarters district from becoming a refuge either for persons who are avoiding arrest under the federal, state, or local law of the United

States or are required by the Government of the United States for extradition to another country, or for persons who are endeavoring to avoid service of legal process.

#### SECTION 10

The United Nations may expel or exclude persons from the headquarters district for violation of its regulations adopted under Section 8 or for other cause. Persons who violate such regulations shall be subject to other penalties or to detention under arrest only in accordance with the provisions of such laws or regulations as may be adopted by the appropriate American authorities.

Violation of regulations.

### ARTICLE IV—COMMUNICATIONS AND TRANSIT

#### SECTION 11

The federal, state or local authorities of the United States shall not impose any impediments to transit to or from the headquarters district of (1) representatives of Members or officials of the United Nations, or of specialized agencies as defined in Article 57, paragraph 2, of the Charter, or the families of such representatives or officials, (2) experts performing missions for the United Nations or for such specialized agencies, (3) representatives of the press, or of radio, film or other information agencies, who have been accredited by the United Nations (or by such a specialized agency) in its discretion after consultation with the United States, (4) representatives of nongovernmental organizations recognized by the United Nations for the purpose of consultation under Article 71 of the Charter, or (5) other persons invited to the headquarters district by the United Nations or by such specialized agency on official business. The appropriate American authorities shall afford any necessary protection to such persons while in transit to or from the headquarters district. This section does not apply to general interruptions of transportation which are to be dealt with as provided in Section 17, and does not impair the effectiveness of generally applicable laws and regulations as to the operation of means of transportation.

59 Stat. 1046.

59 Stat. 1047.

Post, p. 763.

#### SECTION 12

The provisions of Section 11 shall be applicable irrespective of the relations existing between the Governments of the persons referred to in that section and the Government of the United States.

#### SECTION 13

(a) Laws and regulations in force in the United States regarding the entry of aliens shall not be applied in such manner as to interfere with the privileges referred to in Section 11. When visas are required for persons referred to in that Section, they shall be granted without charge and as promptly as possible.

Entry of aliens.

(b) Laws and regulations in force in the United States regarding the residence of aliens shall not be applied in such manner as to interfere with the privileges referred to in Section 11 and, specifically, shall not be applied in such manner as to require any such person to leave the United States on account of any activities performed by him in his official capacity. In case of abuse of such privileges of residence by any such person in activities in the United States outside his official capacity, it is understood that the privileges referred to in Section 11

Residence of aliens.

Abuse of residence privileges.

shall not be construed to grant him exemption from the laws and regulations of the United States regarding the continued residence of aliens, provided that:

(1) No proceedings shall be instituted under such laws or regulations to require any such person to leave the United States except with the prior approval of the Secretary of State of the United States. Such approval shall be given only after consultation with the appropriate Member in the case of a representative of a Member (or a member of his family) or with the Secretary-General or the principal executive officer of the appropriate specialized agency in the case of any other person referred to in Section 11;

(2) A representative of the Member concerned, the Secretary-General, or the principal executive officer of the appropriate specialized agency, as the case may be, shall have the right to appear in any such proceedings on behalf of the person against whom they are instituted;

(3) Persons who are entitled to diplomatic privileges and immunities under Section 15 or under the General Convention shall not be required to leave the United States otherwise than in accordance with the customary procedure applicable to diplomatic envoys accredited to the United States.

(c) This section does not prevent the requirement of reasonable evidence to establish that persons claiming the rights granted by Section 11 come within the classes described in that section, or the reasonable application of quarantine and health regulations.

Control over entry  
into U. S., etc.

(d) Except as provided above in this section and in the General Convention, the United States retains full control and authority over the entry of persons or property into the territory of the United States and the conditions under which persons may remain or reside there.

(e) The Secretary-General shall, at the request of the appropriate American authorities, enter into discussions with such authorities, with a view to making arrangements for registering the arrival and departure of persons who have been granted visas valid only for transit to and from the headquarters district and sojourn therein and in its immediate vicinity.

Entry into head-  
quarters district, etc.

(f) The United Nations shall, subject to the foregoing provisions of this section, have the exclusive right to authorize or prohibit entry of persons and property into the headquarters district and to prescribe the conditions under which persons may remain or reside there.

#### SECTION 14

Facilitation of en-  
trance.

The Secretary-General and the appropriate American authorities shall, at the request of either of them, consult as to methods of facilitating entrance into the United States, and the use of available means of transportation, by persons coming from abroad who wish to visit the headquarters district and do not enjoy the rights referred to in this Article.

### ARTICLE V—RESIDENT REPRESENTATIVES TO THE UNITED NATIONS

#### SECTION 15

(1) Every person designated by a Member as the principal resident representative to the United Nations of such Member or as a resident representative with the rank of ambassador or minister plenipotentiary,

(2) such resident members of their staffs as may be agreed upon between the Secretary-General, the Government of the United States and the Government of the Member concerned,

(3) every person designated by a Member of a specialized agency, as defined in Article 57, paragraph 2, of the Charter, as its principal resident representative, with the rank of ambassador or minister plenipotentiary, at the headquarters of such agency in the United States, and

59 Stat. 1046.

(4) such other principal resident representatives of members to a specialized agency and such resident members of the staffs of representatives to a specialized agency as may be agreed upon between the principal executive officer of the specialized agency, the Government of the United States and the Government of the Member concerned, shall, whether residing inside or outside the headquarters district, be entitled in the territory of the United States to the same privileges and immunities, subject to corresponding conditions and obligations, as it accords to diplomatic envoys accredited to it. In the case of Members whose governments are not recognized by the United States, such privileges and immunities need be extended to such representatives, or persons on the staffs of such representatives, only within the headquarters district, at their residences and offices outside the district, in transit between the district and such residences and offices, and in transit on official business to or from foreign countries.

Privileges and immunities.

Members of governments not recognized by U. S.

#### ARTICLE VI—POLICE PROTECTION OF THE HEADQUARTERS DISTRICT

##### SECTION 16

(a) The appropriate American authorities shall exercise due diligence to ensure that the tranquility of the headquarters district is not disturbed by the unauthorized entry of groups of persons from outside or by disturbances in its immediate vicinity and shall cause to be provided on the boundaries of the headquarters district such police protection as is required for these purposes.

(b) If so requested by the Secretary-General, the appropriate American authorities shall provide a sufficient number of police for the preservation of law and order in the headquarters district, and for the removal therefrom of persons as requested under the authority of the United Nations. The United Nations shall, if requested, enter into arrangements with the appropriate American authorities to reimburse them for the reasonable cost of such services.

Reimbursement.

#### ARTICLE VII—PUBLIC SERVICES AND PROTECTION OF THE HEADQUARTERS DISTRICT

##### SECTION 17

(a) The appropriate American authorities will exercise to the extent requested by the Secretary-General the powers which they possess with respect to the supplying of public services to ensure that the headquarters district shall be supplied on equitable terms with the necessary public services, including electricity, water, gas, post, telephone, telegraph, transportation, drainage, collection of refuse, fire protection, snow removal, et cetera. In case of any interruption or threatened interruption of any such services, the appropriate American authorities will consider the needs of the United Nations as being of equal importance with the similar needs of essential agencies of the Government of the United States, and will take steps accordingly, to ensure that the work of the United Nations is not prejudiced.

Interruption of services.

(b) Special provisions with reference to maintenance of utilities and underground construction are contained in Annex 2.

Post, p. 788.



## SECTION 18

Amenities of district.

The appropriate American authorities shall take all reasonable steps to ensure that the amenities of the headquarters district are not prejudiced and the purposes for which the district is required are not obstructed by any use made of the land in the vicinity of the district. The United Nations shall on its part take all reasonable steps to ensure that the amenities of the land in the vicinity of the headquarters district are not prejudiced by any use made of the land in the headquarters district by the United Nations.

## SECTION 19

Racial discrimination, etc.

It is agreed that no form of racial or religious discrimination shall be permitted within the headquarters district.

ARTICLE VIII—MATTERS RELATING TO THE OPERATION OF THIS AGREEMENT

## SECTION 20

Supplemental agreements.

The Secretary-General and the appropriate American authorities shall settle by agreement the channels through which they will communicate regarding the application of the provisions of this agreement and other questions affecting the headquarters district, and may enter into such supplemental agreements as may be necessary to fulfill the purposes of this agreement. In making supplemental agreements with the Secretary-General, the United States shall consult with the appropriate state and local authorities. If the Secretary-General so requests, the Secretary of State of the United States shall appoint a special representative for the purpose of liaison with the Secretary-General.

## SECTION 21

Reference of disputes for final decision.

(a) Any dispute between the United Nations and the United States concerning the interpretation or application of this agreement or of any supplemental agreement, which is not settled by negotiation or other agreed mode of settlement, shall be referred for final decision to a tribunal of three arbitrators, one to be named by the Secretary-General, one to be named by the Secretary of State of the United States, and the third to be chosen by the two, or, if they should fail to agree upon a third, then by the President of the International Court of Justice.

(b) The Secretary-General or the United States may ask the General Assembly to request of the International Court of Justice an advisory opinion on any legal question arising in the course of such proceedings. Pending the receipt of the opinion of the Court, an interim decision of the arbitral tribunal shall be observed on both parties. Thereafter, the arbitral tribunal shall render a final decision, having regard to the opinion of the Court.

ARTICLE IX—MISCELLANEOUS PROVISIONS

## SECTION 22

Disposal of land in headquarters district.

(a) The United Nations shall not dispose of all or any part of the land owned by it in the headquarters district without the consent of the United States. If the United States is unwilling to consent to a disposition which the United Nations wishes to make of all or any part of such land, the United States shall buy the same from

the United Nations at a price to be determined as provided in paragraph (d) of this section.

(b) If the seat of the United Nations is removed from the headquarters district, all right, title and interest of the United Nations in and to real property in the headquarters district or any part of it shall, on request of either the United Nations or the United States, be assigned and conveyed to the United States. In the absence of such request, the same shall be assigned and conveyed to the subdivision of a state in which it is located or, if such subdivision shall not desire it, then to the state in which it is located. If none of the foregoing desires the same, it may be disposed of as provided in paragraph (a) of this section.

(c) If the United Nations disposes of all or any part of the headquarters district, the provisions of other sections of this agreement which apply to the headquarters district shall immediately cease to apply to the land and buildings so disposed of.

(d) The price to be paid for any conveyance under this section shall, in default of agreement, be the then fair value of the land, buildings and installations, to be determined under the procedure provided in Section 21.

Disposal of headquarters district by U. N.

Price for conveyance.

#### SECTION 23

The seat of the United Nations shall not be removed from the headquarters district unless the United Nations should so decide.

Removal of seat of U. N.

#### SECTION 24

This agreement shall cease to be in force if the seat of the United Nations is removed from the territory of the United States, except for such provisions as may be applicable in connection with the orderly termination of the operations of the United Nations at its seat in the United States and the disposition of its property therein.

Termination of agreement.

#### SECTION 25

Wherever this agreement imposes obligations on the appropriate American authorities, the Government of the United States shall have the ultimate responsibility for the fulfillment of such obligations by the appropriate American authorities.

Fulfillment of U. S. obligations.

#### SECTION 26

The provisions of this agreement shall be complementary to the provisions of the General Convention. In so far as any provision of this agreement and any provisions of the General Convention relate to the same subject matter, the two provisions shall, wherever possible, be treated as complementary, so that both provisions shall be applicable and neither shall narrow the effect of the other; but in any case of absolute conflict, the provisions of this agreement shall prevail.

Complementary provisions.

#### SECTION 27

This agreement shall be construed in the light of its primary purpose to enable the United Nations at its headquarters in the United States, fully and efficiently to discharge its responsibilities and fulfill its purposes.

#### SECTION 28

This agreement shall be brought into effect by an exchange of notes between the Secretary-General, duly authorized pursuant to a resolution of the General Assembly of the United Nations, and the appropriate executive officer of the United States, duly authorized pursuant to appropriate action of the Congress.

Bringing of agreement into effect.

IN WITNESS WHEREOF the respective representatives have signed this Agreement and have affixed their seals hereto.

DONE in duplicate, in the English and French languages, both authentic, at Lake Success the twenty-sixth day of June 1947.

For the Government of the United States of America:

G. C. MARSHALL

*Secretary of State*

For the United Nations:

TRYGVE LIE

*Secretary-General*

#### ANNEX 1

*Ante*, p. 768.

The area referred to in Section 1 (a) (1) consists of (a) the premises bounded on the East by the westerly side of Franklin D. Roosevelt Drive, on the West by the easterly side of First Avenue, on the North by the southerly side of East Forty-eighth Street, and on the South by the northerly side of East Forty-second Street, all as proposed to be widened, in the Borough of Manhattan, City and State of New York, and (b) an easement over Franklin D. Roosevelt Drive, above a lower limiting plane to be fixed for the construction and maintenance of an esplanade, together with the structures thereon and foundations and columns to support the same in locations below such limiting plane, the entire area to be more definitely defined by supplemental agreement between the United Nations and the United States of America.

#### ANNEX 2—MAINTENANCE OF UTILITIES AND UNDERGROUND CONSTRUCTION

##### SECTION 1

Passes to certain city and state employees.

The Secretary-General agrees to provide passes to duly authorized employees of The City of New York, the State of New York, or any of their agencies or subdivisions, for the purpose of enabling them to inspect, repair, maintain, reconstruct and relocate utilities, conduits, mains and sewers within the headquarters district.

##### SECTION 2

Underground constructions.

Underground constructions may be undertaken by The City of New York, or the State of New York, or any of their agencies or subdivisions, within the headquarters district only after consultation with the Secretary-General, and under conditions which shall not disturb the carrying out of the functions of the United Nations.

SEC. 2. For the purpose of carrying out the obligations of the United States under said agreement and supplemental agreements with respect to United States assurances that the United Nations shall not be dispossessed of its property in the headquarters district, and with respect to the establishment of radio facilities and the possible establishment of an airport:

Acquisition of property by U. S.

(a) The President of the United States, or any official or governmental agency authorized by the President, may acquire in the name of the United States any property or interest therein by purchase, donation, or other means of transfer, or may cause proceedings to be instituted for the acquisition of the same by condemnation.

Condemnation proceedings in U. S. district court.

(b) Upon the request of the President, or such officer as the President may designate, the Attorney General of the United States shall cause such condemnation or other proceedings to be instituted in the name of the United States in the district court of the United States for the

district in which the property is situated and such court shall have full jurisdiction of such proceedings, and any condemnation proceedings shall be conducted in accordance with the Act of August 1, 1888 (25 Stat. 357), as amended, and the Act of February 26, 1931 (46 Stat. 1421), as amended.

(c) After the institution of any such condemnation proceedings, possession of the property may be taken at any time the President, or such officer as he may designate, determines is necessary, and the court shall enter such orders as may be necessary to effect entry and occupancy of the property.

(d) The President of the United States, or any officer or governmental agency duly authorized by the President, may, in the name of the United States, transfer or convey possession of and title to any interest in any property acquired or held by the United States, pursuant to paragraph (a) above, to the United Nations on the terms provided in the agreement or in any supplemental agreement, and shall execute and deliver such conveyances and other instruments and perform such other acts in connection therewith as may be necessary to carry out the provisions of the agreement.

(e) There are authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be required to enable the United States to carry out the undertakings hereby authorized: *Provided*, That any money appropriated under this authorization shall be spent only on a basis of reimbursement by the United Nations in accordance with section 3 of the agreement, and that the money thus reimbursed shall be deposited and covered into the Treasury of the United States as miscellaneous receipts.

SEC. 3. The President, or the Secretary of State under his direction, is authorized to enter into agreements with the State of New York or any other State of the United States and to the extent not inconsistent with State law, with any one or more of the political subdivisions thereof in aid of effectuating the provisions of the agreement.

SEC. 4. Any States, or, to the extent not inconsistent with State law any political subdivisions thereof, affected by the establishment of the headquarters of the United Nations in the United States are authorized to enter into agreements with the United Nations or with each other consistent with the agreement and for the purpose of facilitating compliance with the same: *Provided*, That, except in cases of emergency and agreements of a routine contractual character, a representative of the United States, to be appointed by the Secretary of State, may, at the discretion of the Secretary of State, participate in the negotiations, and that any such agreement entered into by such State or States or political subdivisions thereof shall be subject to approval by the Secretary of State.

SEC. 5. The President is authorized to make effective with respect to the temporary headquarters of the United Nations in the State of New York, on a provisional basis, such of the provisions of the agreement as he may deem appropriate, having due regard for the needs of the United Nations at its temporary headquarters.

SEC. 6. Nothing in the agreement shall be construed as in any way diminishing, abridging, or weakening the right of the United States to safeguard its own security and completely to control the entrance of aliens into any territory of the United States other than the headquarters district and its immediate vicinity, as to be defined and fixed in a supplementary agreement between the Government of the United States and the United Nations in pursuance of section 13 (3) (e) of the agreement, and such areas as it is reasonably necessary to traverse in transit between the same and foreign countries. Moreover, nothing in section 14 of the agreement with respect to facilitating entrance

40 U. S. C. §§ 257, 258.  
40 U. S. C. §§ 258a-258e.

Possession of property.

Transfer of interest in property.

Appropriation authorized.

Reimbursement.

*Ante*, p. 759.

Agreements with States, etc.

State agreements with U. N., etc.

U. S. representative.

Temporary headquarters.

Rights of U. S.

*Ante*, p. 762.

*Ante*, p. 762.

*Ante*, p. 761.

into the United States by persons who wish to visit the headquarters district and do not enjoy the right of entry provided in section 11 of the agreement shall be construed to amend or suspend in any way the immigration laws of the United States or to commit the United States in any way to effect any amendment or suspension of such laws.

Approved August 4, 1947.

[CHAPTER 483]

JOINT RESOLUTION

August 4, 1947  
[S. J. Res. 156]  
[Public Law 358]

Fixing the date of meeting of the second regular session of the Eightieth Congress.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the second regular session of the Eightieth Congress shall begin at noon on Tuesday, January 6, 1948.

Approved August 4, 1947.

[CHAPTER 484]

JOINT RESOLUTION

August 4, 1947  
[H. J. Res. 218]  
[Public Law 359]

Providing for the representation of the Government and people of the United States in the observance of the two-hundredth anniversary of the founding of the city of Reading, Pennsylvania.

Reading, Pa.  
Two-hundredth anniversary of founding.

Whereas two hundred years ago, in 1748, the city of Reading, the county seat of Berks County of the Commonwealth of Pennsylvania, was founded by Thomas and Richard Penn, sons of William Penn; and

Whereas it has decided jointly with Berks County, Pennsylvania, to fittingly mark the occasion by an appropriate bicentennial celebration from spring until fall 1948; and

Whereas the first defenders of the Colonies from beyond New England to reinforce General Washington's troops in Cambridge, Massachusetts, at the outbreak of the Revolutionary War were an armed company from Reading and Berks County; and

Whereas, during the period of the Revolution, Reading was a depot of military supplies, manufacturing cannon and munitions for the Continental Army, and was the site of the camp wherein were detained the Hessian prisoners captured at the Battle of Trenton; and

Whereas the first armed troops to enter the city of Washington, in answer to the call of President Lincoln in 1861 for seventy-five thousand volunteers, were from the city of Reading, Pennsylvania, thus again earning and perpetuating for their city the proud title of "First Defenders"; and

Whereas Reading and Berks County through the two centuries of their existence have in addition furnished many outstanding leaders of our Nation and of the Commonwealth of Pennsylvania; and

Whereas Reading and Berks County have prominently contributed to the industrial life of the United States from the establishment of the first forges and iron foundries in the early eighteenth century to the present time, and today form a great industrial center, among the Nation's leaders in many types of goods and wares; and

Whereas Berks County, of which Reading is the county seat, ranks fourth in Pennsylvania and thirty-eighth in the United States in agricultural production value; and

Whereas it is an important cosmopolitan center of the United States wherein the population represents a fusion and assimilation of the strains and heritage of almost all the nations of Europe in the best tradition of American life and spirit; and

Whereas it is recognized that, while the contribution of the city of Reading and county of Berks to the material and physical welfare of the Nation have been large, the greatest contribution to the forwarding of the Nation has been their considered and collective judgment, their thoughtful patriotism so that in every crisis in national affairs they have thought their way through to a solution which has reflected the Nation's thinking and which has enabled them in good conscience to make rich contribution of lives and fortunes in every national emergency of war or peace: Therefore be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Government and people of the United States unite with the city of Reading, Pennsylvania, in a fitting and appropriate observance of the two-hundredth anniversary of its founding.

SEC. 2. There is hereby established a commission to be known as the United States-Reading Bicentennial Commission (hereinafter referred to as the "Commission") to be composed of nine Commissioners, as follows: One person to be appointed by the President of the United States as his representative, the President pro tempore of the Senate and two Members of the Senate to be appointed by said President pro tempore, and the Speaker of the House of Representatives and four Members of the House to be appointed by said Speaker.

SEC. 3. The Commission, on behalf of the United States, shall co-operate with the representatives of the city of Reading in proper and appropriate activities commemorating such anniversary.

SEC. 4. The members of the Commission shall serve without compensation and shall select a Chairman from among their number.

SEC. 5. Any vacancies occurring in the membership of the Commission shall be filled in the same manner in which original appointments to such Commission are made.

Approved August 4, 1947.

National observance.

United States-Reading Bicentennial Commission.

Compensation; chairman.

Vacancies.

#### [CHAPTER 488]

#### AN ACT

To provide support for wool, and for other purposes.

August 5, 1947  
[S. 1498]

[Public Law 360]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) The Commodity Credit Corporation shall continue, until December 31, 1948, to support a price to producers of wool in the continental United States and Territories at the price it supported wool in 1946.

(b) Notwithstanding any other provisions hereof, the Commodity Credit Corporation may adjust support prices for individual grades and qualities of wool for the purpose of bringing about a fair and equitable relationship in the support prices for the various grades and qualities of wool; and may make discounts from support prices for off-quality, inferior-grade, or poorly prepared wool.

SEC. 2. The provisions of sections 385, 386, and 388 of the Agricultural Adjustment Act of 1938, as amended, shall be applicable to the support operations carried out pursuant to the first section of this Act.

SEC. 3. The Commodity Credit Corporation may, until December 31, 1948, dispose of wool owned by it without regard to any restriction imposed upon it by law.

Approved August 5, 1947.

Wool.

Adjustment of support prices.

Discounts.

52 Stat. 68.  
7 U. S. C. §§ 1385,  
1386, 1388.

Disposition of wool  
by CCC.

## [CHAPTER 489]

## AN ACT

August 5, 1947  
[H. R. 3043]  
[Public Law 361]

To provide for the transfer of certain lands to the Secretary of the Interior, and for other purposes.

Secretary of the  
Interior.  
Transfer of certain  
lands.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to promote the orderly development and use of the lands and interests therein acquired by the United States in connection with the Crab Orchard Creek project and the Illinois Ordnance Plant in Williamson, Jackson, and Union Counties, Illinois, consistent with the needs of agriculture, industry, recreation, and wildlife conservation, all of the interests of the United States in and to such lands are hereby transferred to the Secretary of the Interior for administration, development, and disposition, in accordance with the provisions of this Act.

Classification of  
lands.

SEC. 2. All of the lands transferred to the Secretary of the Interior, pursuant to the provisions of this Act, first shall be classified by him with a view to determining, in cooperation with Federal, State, and public or private agencies and organizations, the most beneficial use that may be made thereof to carry out the purposes of this Act, including the development of wildlife conservation, agricultural, recreational, industrial, and related purposes. Such lands as have been or may hereafter be determined to be chiefly valuable for industrial purposes shall be leased for such purposes at such times and under such terms and conditions as are consistent with the general purposes of section 2 of the Surplus Property Act of 1944, as amended, and with the purposes of this Act. Except to the extent otherwise provided in this Act, all lands herein transferred shall be administered by the Secretary of the Interior through the Fish and Wildlife Service in accordance with the provisions of the Act of August 14, 1946 (Public Law 732, Seventy-ninth Congress), and Acts supplementary thereto and amendatory thereof for the conservation of wildlife, and for the development of the agricultural, recreational, industrial, and related purposes specified in this Act: *Provided*, That no jurisdiction shall be exercised by the Secretary of the Interior over that portion of such lands and the improvements thereon which are now utilized by the War Department directly or indirectly until such time as it is determined by the Secretary of War that utilization of such portions of such lands and the improvements thereon directly or indirectly by the War Department is no longer required: *Provided further*, That, subsequent to the determination referred to in the preceding proviso, the lands and improvements mentioned therein shall be administered by the Secretary of the Interior, and any lease or other disposition thereof shall be made subject to such terms, conditions, restrictions, and reservations imposed by the Secretary of War as will, in the opinion of the Secretary of War, be adequate to assure the continued availability for war production purposes of such lands and improvements.

Lease of lands for  
industrial purposes.

58 Stat. 766.  
50 U. S. C. app.  
§ 1611.

60 Stat. 1080.  
16 U. S. C. §§ 661-  
666c.

Lands utilized by  
War Department.

Administration of  
lands by Secretary of  
the Interior, etc.

Approved August 5, 1947.

## [CHAPTER 490]

## AN ACT

August 5, 1947  
[H. R. 3309]  
[Public Law 362]

To amend the Organic Act of Puerto Rico.

Organic Act of  
Puerto Rico, amend-  
ment.  
39 Stat. 955.

Election of Gov-  
ernor.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 12 of the Organic Act of Puerto Rico (48 U. S. C., sec. 771) is hereby amended by repealing the second sentence thereof and substituting the following: "At the general election in 1948 and each such election quadrennially thereafter the Governor of Puerto Rico shall be

elected by the qualified voters of Puerto Rico and shall hold office for a term of four years commencing on the 2d day of January following the date of the election and until his successor is elected and qualified. No person shall be eligible to election as Governor unless at the time of the election he is a citizen of the United States, is at least thirty years of age, is able to read and write the English language, and has been a bona fide resident of Puerto Rico during the immediately preceding two years. Such election shall be held in the manner now or hereafter provided by law for the election of the Resident Commissioner.

Eligibility.

SEC. 2. Section 12a is hereby added to said Organic Act to read as follows:

"SEC. 12a. The Governor shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors. The house of representatives of Puerto Rico shall have the sole power of impeachment. Impeachment shall require the concurrence of two-thirds of all of the members of the house of representatives. The senate of Puerto Rico shall have the sole power to try all impeachments. When sitting for that purpose they shall be on oath or affirmation and the chief justice of the supreme court of Puerto Rico shall preside. No person shall be convicted without the concurrence of three-fourths of all the members of the senate. Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the government of Puerto Rico. The person convicted shall, nevertheless, be liable and subject to indictment, trial, judgment, and punishment according to law."

Impeachment of Governor.

SEC. 3. Section 13 of said Organic Act (48 U. S. C., secs. 773, 775) is hereby amended by repealing the second, third, and fourth sentences and substituting the following therefor: "The heads of the executive departments set forth in the first sentence of this section shall be appointed by the Governor by and with the advice and consent of the senate of Puerto Rico. Each shall hold office during the continuance in office of the Governor by whom he is appointed and until his successor is qualified, unless sooner removed by the Governor."

39 Stat. 955.

Appointment of heads of executive departments.

SEC. 4. Section 24 of said Organic Act (48 U. S. C., sec. 772) is amended to read as follows:

39 Stat. 958.

Vacancy in the office of Governor, etc.

"SEC. 24. In case of a vacancy in the office of the Governor, the person holding the position of attorney general at the time the vacancy occurs shall succeed to the office of the Governor, and to all the duties and emoluments for the remainder of the term. If for any reason the Governor is temporarily absent from Puerto Rico, or unable to perform his duties, the attorney general shall act as Governor, with all the powers and duties of the office during such temporary absence or disability. If in such event the attorney general is unable to act, the treasurer shall act as Governor, and if the treasurer is unable to act, such other person as may be provided by the laws of Puerto Rico shall act as Governor during such temporary absence or disability. In the event that because of death or any other reason a newly elected Governor is unable to take office, a temporary successor shall be elected by a majority vote of the full house and senate of Puerto Rico meeting at a joint session of the legislature at the next succeeding term thereof, who shall hold office until a successor is elected and qualified at a special election to be held within one hundred and twenty days from the date of adjournment of said session."

Inability of Governor to take office.

SEC. 5. Section 50 of said Organic Act (48 U. S. C., sec. 797) is hereby amended by deleting the following words from the third sentence thereof: "appointed by the President and also those appointed by the Governor of Puerto Rico".

39 Stat. 967.



SEC. 6. Section 49b is hereby added to the Organic Act to read as follows:

Coordinator of Federal Agencies in Puerto Rico.

"SEC. 49b. (1) There shall be an administrative officer whose official title shall be the 'Coordinator of Federal Agencies in Puerto Rico', who shall be appointed by the President, by and with the advice and consent of the Senate of the United States, and who shall hold office at the pleasure of the President for the purpose of coordinating the administration of all Federal civilian functions and activities in Puerto Rico. He shall receive as compensation for his services an annual salary of \$7,500.

Compensation.

Coordination of administration of Federal civilian functions.

"(2) The Coordinator of Federal Agencies shall coordinate the administration of all Federal civilian functions and activities in Puerto Rico. The administrative heads of all Federal civilian agencies in Puerto Rico shall make such reports to the Coordinator of Federal Agencies as he shall require and he shall through the Secretary of the Interior make recommendations to the heads of such agencies with respect to their personnel, functions, and activities in Puerto Rico: the President may, however, by Executive order exempt any Federal agency from making such reports to the Coordinator of Federal Agencies. The Coordinator of Federal Agencies shall make recommendations for the better coordination of the Federal civilian functions and activities and may make recommendations for the elimination or reduction of those which duplicate or conflict with each other or with activities carried on by the Government of Puerto Rico. He shall report through the Secretary of the Interior to the President and to Congress concerning the administration of all Federal civilian functions and activities in Puerto Rico, specifying the recommendations made by him to the Federal agencies and the results of such recommendations. He shall advise the Secretary of the Interior, who shall advise the Bureau of the Budget and the Congress with respect to all appropriation estimates submitted by any civilian department or agency of the Federal Government to be expended in or for the benefit of Puerto Rico. He shall confer with the Governor of Puerto Rico with respect to the correlation of activities of Federal and insular agencies and all plans and programs and other matters of mutual interest.

Recommendations.

Reports to President and Congress.

Appropriation estimates.

Promulgation of Executive orders by President.

39 Stat. 954.  
48 U. S. C. § 734.

"(3) The President of the United States may, from time to time, after hearing, promulgate Executive orders expressly excepting Puerto Rico from the application of any Federal law, not expressly declared by Congress to be applicable to Puerto Rico, which as contemplated by section 9 of this Act is inapplicable by reason of local conditions. The Coordinator of Federal Agencies may, from time to time, make recommendations to the President for such purpose. Any such recommendation shall show the concurrence or dissent of the Governor of Puerto Rico.

Reports from Governor.

"(4) The Coordinator of Federal Agencies, in the name of the President of the United States, shall have authority to request from the Governor of Puerto Rico, and the Governor shall furnish to him all such reports pertaining to the affairs, conditions and government of Puerto Rico as the Coordinator of Federal Agencies shall from time to time request, for transmission to the President through the Secretary of the Interior.

Rules and regulations.

"(5) The President of the United States shall prescribe such rules and regulations as may be necessary to carry out the provisions of this section."

39 Stat. 951.

Rights, privileges, etc., of U. S. citizens.

SEC. 7. Section 2 of said Organic Act (48 U. S. C., sec. 737) is amended by adding at the end thereof the following new paragraph:

"The rights, privileges, and immunities of citizens of the United States shall be respected in Puerto Rico to the same extent as though

Puerto Rico were a State of the Union and subject to the provisions of paragraph 1 of section 2 of article IV of the Constitution of the United States."

1 Stat. 18.

Approved August 5, 1947.

## [CHAPTER 492]

## AN ACT

To provide for the cancellation of the capital stock of the Federal Deposit Insurance Corporation and the refund of moneys received for such stock, and for other purposes.

August 5, 1947

[S. 1070]

[Public Law 363]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Deposit Insurance Corporation is directed to retire its capital stock by paying the amount received therefor (whether received from the Secretary of the Treasury or the Federal Reserve banks) to the Secretary of the Treasury as hereinafter provided, to be covered into the Treasury as miscellaneous receipts. As soon as practicable after the enactment of this Act, the Corporation shall pay to the Secretary so much of its capital and surplus as is in excess of \$1,000,000,000. The balance of the amount to be paid to the Secretary shall be paid in units of \$10,000,000 except that the last unit to be paid may be less than \$10,000,000. Each unit shall be paid as soon as it may be paid without reducing the capital and surplus of the Corporation below \$1,000,000,000. As each payment is made a corresponding amount of the capital stock of the Corporation shall be retired and canceled and the receipt or certificate therefor shall be surrendered or endorsed to show such cancellation. The stock subscribed by the various Federal Reserve banks shall be retired and canceled, pro rata, before the stock subscribed by the Secretary is retired and canceled.*

Federal Deposit Insurance Corporation.  
Retirement of capital stock.

SEC. 2. Section 12B (d) of the Federal Reserve Act, as amended (U. S. C., title 12, sec. 264 (d)), is hereby repealed.

Repeal.  
48 Stat. 169.

SEC. 3. Section 12B (b) of the Federal Reserve Act, as amended (U. S. C., title 12, sec. 264 (b)), is amended by striking out "\$10,000" and inserting in lieu thereof "\$15,000".

48 Stat. 168.

SEC. 4. Section 12B (o) of the Federal Reserve Act, as amended (U. S. C., title 12, sec. 264 (o)), is amended to read as follows:

48 Stat. 177.

"(o) The Corporation is authorized to borrow from the Treasury, and the Secretary of the Treasury is authorized and directed to loan to the Corporation on such terms as may be fixed by the Corporation and the Secretary, such funds as in the judgment of the Board of Directors of the Corporation are from time to time required for insurance purposes, not exceeding in the aggregate \$3,000,000,000 outstanding at any one time: *Provided*, That the rate of interest to be charged in connection with any loan made pursuant to this paragraph shall not be less than the current average rate on outstanding marketable and nonmarketable obligations of the United States as of the last day of the month preceding the making of such loan. For such purpose the Secretary of the Treasury is authorized to use as a public-debt transaction the proceeds of the sale of any securities hereafter issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under the Second Liberty Bond Act, as amended, are extended to include such loans. Any such loan shall be used by the Corporation solely in carrying out its functions with respect to such insurance. All loans and repayments under this section shall be treated as public-debt transactions of the United States."

Loans.

Rate of Interest.

40 Stat. 288.  
31 U. S. C. § 774 (2).

Approved August 5, 1947.

## [CHAPTER 493]

## AN ACT

August 5, 1947

[S. 1198]

[Public Law 364]

To authorize leases of real or personal property by the War and Navy Departments, and for other purposes.

War and Navy Departments.  
Lease of property.

50 U. S. C. app.  
§§ 1611-1646.  
*Ante*, p. 673.

Period of lease.

Right of first refusal.

Revocation of lease.

Payment for utilities, etc.

Nonapplicability.  
Report to Congress.

Repeals.

Transfer of interest in certain plants, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That whenever the Secretary of War or the Secretary of the Navy shall deem it to be advantageous to the Government he is authorized to lease such real or personal property under the control of his Department as is not surplus to the needs of the Department within the meaning of the Act of October 3, 1944 (58 Stat. 765), and is not for the time required for public use, to such lessee or lessees and upon such terms and conditions as in his judgment will promote the national defense or will be in the public interest. Each such lease shall be for a period not exceeding five years unless the Secretary of the Department concerned shall determine that a longer period will promote the national defense or will be in the public interest. The Secretary of the Department concerned may include, among other terms and conditions in the lease, a right of first refusal in the lessee to purchase the property in the event of the revocation of the lease in order to permit sale thereof by the Government, but this section shall not be construed as authorizing the sale of any property unless the sale thereof is otherwise authorized by law. Each such lease shall contain a provision permitting the Secretary of the Department concerned to revoke the lease at any time, unless the Secretary shall determine that the omission of such provision from the lease will promote the national defense or will be in the public interest. In any event each such lease shall be revocable by the Secretary of the Department concerned during a national emergency declared by the President. Notwithstanding section 321 of the Act of June 30, 1932 (47 Stat. 412; U. S. C., title 40, sec. 303b), or any other provision of law, any such lease may provide for the maintenance, protection, repair, or restoration by the lessee, of the property leased or of the entire unit or installation where a substantial part thereof is leased, as a part or all of the consideration for the lease of such property. In the event utilities or services shall be furnished by the Department concerned to the lessee in connection with any lease, payments for utilities or services so furnished may be covered into the Treasury to the credit of the appropriation or appropriations from which the costs of furnishing any such utilities or services to the lessee was paid. Except as otherwise hereinabove provided, any money rentals received by the Government directly under any such lease shall be deposited and covered into the Treasury as miscellaneous receipts. The authority herein granted shall not apply to oil, mineral, or phosphate lands. The Secretary of War or the Secretary of the Navy, as the case may be, shall submit to the Congress on the 1st day of January and the 1st day of July of each year, following the enactment of this law, a report of all leases entered into in accordance with the provisions of this Act.

SEC. 2. The Act of July 28, 1892, as amended (27 Stat. 321; 45 Stat. 988; U. S. C., title 40, sec. 303), is hereby repealed. So much of the Naval Appropriation Act of August 29, 1916, as is contained under the heading "Lease of Naval Lands", as amended (39 Stat. 559; 45 Stat. 990; U. S. C., title 34, sec. 522), is hereby repealed.

SEC. 3. (a) Notwithstanding any other provision of law, all right, title, and interest of Reconstruction Finance Corporation in any plants or facilities, and the machinery, equipment, and other personal property accessory thereto, acquired by Defense Plant Corporation or Reconstruction Finance Corporation in accordance with authority

contained in the Reconstruction Finance Corporation Act (U. S. C., title 15, secs. 601-617) pursuant to undertakings by the War Department or the Navy Department to reimburse Defense Plant Corporation or Reconstruction Finance Corporation to the extent of the unrecovered cost thereof in the event Congress authorizes such reimbursement by making appropriations therefor, shall be transferred by Reconstruction Finance Corporation (or by War Assets Administration, if such property has been declared surplus) to the War Department or the Navy Department upon certification by the Secretary of War or the Secretary of the Navy made within six months after the enactment hereof, that the retention of such plants or facilities, and the machinery, equipment, and other personal property accessory thereto, by the War Department or the Navy Department, as the case may be, is necessary for the maintenance of an adequate Military or Naval Establishment including industrial reserve.

47 Stat. 5.  
*Ante*, p. 202 *et seq.*

(b) Notwithstanding any other provision of law, all right, title, and interest of Reconstruction Finance Corporation or War Assets Administration in any machinery or equipment shall be transferred by the agency having control thereof to the War Department or the Navy Department upon certification by the Secretary of War or the Secretary of the Navy made within six months after the enactment hereof, that the retention of such machinery or equipment by the War Department or the Navy Department, is necessary for the maintenance of an adequate Military or Naval Establishment, including industrial reserve.

Transfer of interest  
in machinery, etc.

SEC. 4. Any transfer made pursuant to section 3 of this Act shall be approved by the Director of the Bureau of the Budget to the extent and in the manner determined by him and shall be made without charge or reimbursement from the funds available to the War Department or the Navy Department, except for costs of packing, handling, and transportation of machinery and equipment transferred under section 3 (b) hereof.

Approval of transfer.

SEC. 5. (a) Whenever in the opinion of the Secretary of War or the Secretary of the Navy, as the case may be, the interests of national defense require assurance of the continued availability for war-production purposes of the industrial capacity of shipyards, plants, and equipment which are surplus to the needs of their respective Departments or of the Reconstruction Finance Corporation within the meaning of the Surplus Property Act of 1944, they are authorized to direct the imposition of such terms, conditions, restrictions, and reservations in the disposition of such property by the disposal agency under said Act as will in the opinion of the Secretary concerned be adequate to assure such continued availability.

Terms to assure continued availability of plants, etc.

58 Stat. 765.  
50 U. S. C. app.  
§§ 1611-1646.  
*Ante*, p. 678.

(b) In the event the disposal agency is unable to dispose of any such industrial plants and equipment subject to such terms, conditions, restrictions, or reservations as have been imposed, within a reasonable time and after such property shall have been offered for sale and reasonable efforts made to dispose of the same, the Department imposing such terms, conditions, restrictions, or reservations shall (1) modify them to the extent necessary to permit the sale or lease of such property, (2) withdraw the property from surplus, or, in the case of Reconstruction Finance Corporation property, request a transfer thereof in the manner provided in sections 3 (a) and 4 of this Act, or (3) eliminate and waive the requirement for the imposition of any terms, conditions, restrictions, or reservations made under the authority of this section.

Modification of terms, etc.

SEC. 6. The lessee's interest, made or created pursuant to the provisions of this Act, shall be made subject to State or local taxation. Any

State or local taxes.

lease of property authorized under the provisions of this Act shall contain a provision that if and to the extent that such property is made taxable by State and local governments by Act of Congress, in such event the terms of such lease shall be renegotiated.

Appropriation au-  
thorized.

SEC. 7. There is authorized to be appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, such sums as may be necessary to carry out the purposes of this Act.

Approved August 5, 1947.

[CHAPTER 494]

AN ACT

August 5, 1947

[S. 1661]

[Public Law 365]

To provide additional inducements to physicians, surgeons, and dentists to make a career of the United States military, naval, and public health services, and for other purposes.

Army-Navy-Public  
Health Service Medi-  
cal Officer Procure-  
ment Act of 1947.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Army-Navy-Public Health Service Medical Officer Procurement Act of 1947".

TITLE I

PAY OF PHYSICIANS, SURGEONS, AND DENTISTS

37 U. S. C. §§ 101-  
120.

*Ante*, pp. 52, 92, 134,  
192, 242; *post*, p. 888.

"Commissioned offi-  
cers."

SEC. 101. The Pay Readjustment Act of 1942 (56 Stat. 359), as amended, is hereby further amended by inserting immediately after section 1 thereof the following new section:

"SEC. 1A. (a) The term 'commissioned officers', as used in this section, shall be interpreted to mean only (1) those commissioned officers of the Medical and Dental Corps of the Regular Army and Navy and commissioned medical and dental officers of the Regular Corps of the Public Health Service who are on active duty on the effective date of this section; (2) those officers who are hereafter commissioned in the Medical and Dental Corps of the Regular Army and Navy or as medical and dental officers of the Regular corps of the Public Health Service during the five-year period immediately following the effective date of this section; (3) such officers, now or hereafter commissioned in the Medical and Dental Corps of the Officers' Reserve Corps, the Naval Reserve, the National Guard, the Army of the United States, or as medical and dental officers of the Reserve Corps of the Public Health Service, who may, during the five-year period immediately following the effective date of this section, volunteer and be accepted for extended active duty of one year or longer; (4) general officers appointed from the Medical and Dental Corps of the Regular Army, the Officers' Reserve Corps, the National Guard, or the Army of the United States who are on active duty on the effective date of this section; (5) general officers who may hereafter be appointed from those officers of the Medical and Dental Corps of the Regular Army, the Officers' Reserve Corps, the National Guard, or the Army of the United States who are included in (1), (2), or (3) above.

Additional pay for  
active service.

"(b) In addition to any pay, allowances, or emoluments that they are otherwise entitled to receive, commissioned officers as defined in subsection (a) of this section shall be entitled to pay at the rate of \$100 per month for each month of active service following the date of enactment of this section: *Provided*, That such sum shall not be included in computing the amount of increase in pay authorized by any other provision of law or in computing retired pay: *Provided further*, That the total amount which may be paid to any one officer under the authority contained in this section shall not exceed \$36,000:

Noninclusion.

Maximum.

*And provided further*, That the commissioned officers described in subsection (a) (3) of this section shall receive the pay provided by this subsection only during periods of volunteer service."

Pay during volunteer service.

SEC. 102. This title shall become effective on the first day of the first calendar month following its enactment, and the payments herein provided shall not accrue for any period prior thereto.

Effective date.

## TITLE II

### ORIGINAL APPOINTMENTS OF MEDICAL AND DENTAL OFFICERS

SEC. 201. Subject to any limitation of the commissioned strength of the Army and Navy prescribed by law the President, by and with the advice and consent of the Senate, is hereby authorized to make original appointments to permanent commissioned grades, with rank not above that of colonel in the Medical and Dental Corps of the Army, and not above that of captain in the Medical and Dental Corps of the Navy in such numbers as the needs of the services may require. Such appointments shall be made only from qualified civilian doctors of medicine and dentists who are citizens of the United States, and who shall have such other qualifications as the Secretary of War and the Secretary of the Navy may prescribe for their respective services. The doctors of medicine and dentists so appointed in the Navy shall be carried as additional numbers in rank, but shall not increase the authorized numbers of commissioned officers of the Medical and Dental Corps of the Regular Navy. The doctors of medicine and dentists so appointed in the Army shall be credited for purposes of promotion with the minimum number of years of service now or hereafter required for promotion of officers of the Medical and Dental Corps to the grade in which appointed.

Appointments to permanent commissioned grades.

Authorized numbers.

Service credit.

SEC. 202. The Secretary of War and the Secretary of the Navy are authorized to prescribe from time to time such regulations as may be necessary for the administration of this title within their respective departments.

Regulations.

Approved August 5, 1947.

#### [CHAPTER 495]

#### AN ACT

To amend the National Housing Act, as amended.

August 5, 1947  
[S. 1720]  
[Public Law 366]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 603 (a) of the National Housing Act, as amended, is hereby amended by (1) striking out "\$2,800,000,000" and inserting in lieu thereof "\$4,000,000,000" and (2) striking out "\$3,800,000,000" and inserting in lieu thereof "\$4,200,000,000".

55 Stat. 56; 60 Stat. 212.  
12 U. S. C. § 1738 (a).  
*Ante*, p. 193; *post*, p. 945.

SEC. 2. Title VI of the National Housing Act, as amended, is hereby amended by adding at the end thereof the following new section:

55 Stat. 55.  
12 U. S. C. §§ 1736-1743.  
*Ante*, p. 193; *post*, p. 945.  
Mortgage insurance.

"SEC. 610. Notwithstanding any of the provisions of this title, the Administrator is authorized, upon application by the mortgagee, to insure or to make commitments to insure under section 603 or section 608 of this title any mortgage executed in connection with the sale by the Government, or any agency or official thereof, of any housing acquired or constructed under Public Law 849, Seventy-sixth Congress, as amended; Public Law 781, Seventy-sixth Congress, as amended; or Public Laws 9, 73, or 353, Seventy-seventh Congress, as amended (including any property acquired, held or constructed in connection with such housing or to serve the inhabitants thereof), without regard to—

*Supra*.  
56 Stat. 303.  
12 U. S. C. § 1743.

54 Stat. 1125.  
42 U. S. C. note prec. § 1501.  
54 Stat. 872.  
55 Stat. 14, 199, 820.

"(1) any limit as to the time when any mortgage may be insured under this title;

"(2) any limit as to the aggregate amount of principal obligations of all mortgages insured under this title, but the aggregate amount of principal obligations of all mortgages insured pursuant to this section shall not exceed \$750,000,000;

"(3) any requirement that the obligation be approved for mortgage insurance prior to the beginning of construction or that the construction be new construction;

"(4) any of the provisions of section 603 (b) (2) or paragraphs (B) and (C) of the first sentence of section 608 (b) (3) :

*Provided*, That such mortgage shall (1) otherwise be eligible for insurance under section 603 or section 608, as the case may be, (2) have a maturity not exceeding twenty-five years from the date of insurance, and (3) involve a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the Administrator shall approve) in an amount not exceeding 90 per centum of the appraised value of the mortgage property as determined by the Administrator."

Approved August 5, 1947.

55 Stat. 56; 56 Stat. 303.  
12 U. S. C. §§ 1738 (b) (2), 1743 (b) (3) (B), (C).  
Eligibility of mortgage, etc.  
*Ante*, p. 777.

#### [CHAPTER 496]

#### AN ACT

August 5, 1947  
[H. R. 479]  
[Public Law 367]

Relating to the income-tax liability of members of the armed forces dying in the service.

Internal Revenue Code, amendment.  
57 Stat. 149.  
26 U. S. C. § 421.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 421 of the Internal Revenue Code (relating to abatement of tax for members of armed forces upon death) is amended to read as follows:

#### "SEC. 421. ABATEMENT OF TAX FOR MEMBERS OF ARMED FORCES UPON DEATH.

"In the case of any individual who dies on or after December 7, 1941, while in active service as a member of the military or naval forces of the United States or of any of the other United Nations and prior to January 1, 1948—

"(a) the tax imposed by this chapter shall not apply with respect to the taxable year in which falls the date of his death, or with respect to any prior taxable year (ending on or after December 7, 1941) during any part of which he was a member of such forces; and

"(b) the tax under this chapter and under the corresponding title of each prior revenue law for taxable years preceding those specified in clause (a) which is unpaid at the date of his death (including interest, additions to the tax, and additional amounts) shall not be assessed, and if assessed the assessment shall be abated, and if collected shall be credited or refunded as an overpayment."

Credit or refund of overpayment.

*Supra*.

53 Stat. 471.  
26 U. S. C. § 3801.

SEC. 2. If at any time prior to January 1, 1948, the allowance of a credit or refund of an overpayment of the tax for any taxable year specified in section 421 (a) of the Internal Revenue Code (as amended by this Act) is prevented (except for the provisions of section 3801) by the operation of any law or rule of law, a credit or refund of the overpayment of such tax to the extent that the overpayment is attributable to the change in law made by this Act may, nevertheless, be allowed or made if a claim therefor is filed before January 1, 1949.

Approved August 5, 1947.

## [CHAPTER 497]

## AN ACT

To amend the Act entitled "An Act to provide for the evacuation and return of the remains of certain persons who died and are buried outside the continental limits of the United States", approved May 16, 1946, in order to provide for the shipment of the remains of World War II dead to the homeland of the deceased or of next of kin, to provide for the disposition of group and mass burials, to provide for the burial of unknown American World War II dead in United States military cemeteries to be established overseas, to authorize the Secretary of War to acquire land overseas and to establish United States military cemeteries thereon, and for other purposes.

August 5, 1947  
[H. R. 3394]  
[Public Law 368]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of May 16, 1946, entitled "An Act to provide for the evacuation and return of the remains of certain persons who died and are buried outside the continental limits of the United States" (Public Law 383, Seventy-ninth Congress), is hereby amended to read as follows:*

Return of remains  
of certain persons  
buried outside U. S.

60 Stat. 182,  
50 U. S. C. app.  
§§ 1811-1816.

"That the Congress hereby declares it to be in the public interest to provide for the interment of the remains of certain persons who died on or after September 3, 1939, and whose remains are buried in places located outside the continental limits of the United States and could not be returned to their homeland for burial due to wartime shipping restrictions, by authorizing their permanent interment outside the continental limits of the United States or their evacuation and return either to their homeland or to the homeland of their next of kin, and to centralize in one agency the task of accomplishing the purpose of this Act.

"SEC. 2. All activities herein provided for are hereby made a responsibility of the Secretary of War, except as expressly reserved to the American Battle Monuments Commission by section 9 of this Act.

Responsibility.

"SEC. 3. The Secretary of War is hereby authorized and directed upon application by the next of kin in the case of individual identified remains to return such remains to the homeland of the decedent or of his next of kin for interment at places designated by the next of kin, including national cemeteries provided such remains are entitled to interment therein; and he is further authorized at his own discretion in the case of group or mass burials, which include the remains of one or more known individuals, to cause them to be interred in such places as he may direct: *Provided*, That this Act shall apply only to the remains of persons who died on or after September 3, 1939, and are buried outside the continental limits of the United States, and who were—

Identified remains.

"(a) members of the armed forces of the United States who died in the service;

"(b) civilian officers and employees of the United States;

"(c) citizens of the United States who served in the armed forces of any government at war with Germany, Italy, or Japan and who died while in such service and who were citizens of the United States at the time of such service;

"(d) citizens of the United States whose homes are in fact in the United States and whose death outside the continental limits thereof can be directly attributed to the war or who died while employed or otherwise engaged in activities contributing to the prosecution of the war; and

"(e) such other citizens of the United States, the disposition of the remains of whom under the provisions of this Act would, in the discretion of the Secretary of War, serve the public interest.

"SEC. 4. With respect to the remains of all persons who are included in the categories set forth in the preceding section of this Act, the

Applicability.

Interment in mili-  
tary cemeteries out-  
side U. S.



Secretary of War is further authorized and directed upon application by the next of kin in the case of individual identified remains, and authorized at his own discretion in the case of unidentified remains and in all cases of identified remains which are not returned to the homeland under the provisions of this Act to inter the remains in United States military cemeteries established outside the continental limits of the United States.

Acquisition of land  
abroad.

"SEC. 5. The Secretary of War is hereby authorized to acquire by purchase, gift, or devise, without submission to the Attorney General of the United States under the provisions of section 355 of the Revised Statutes (34 U. S. C. 520; 40 U. S. C. 255), land or interest in land in foreign countries necessary for the purposes of this Act, and to establish thereon United States military cemeteries. Cemeteries established by the Secretary of War under the authority of this Act are subject to the provisions of section 12, Public Law 456, Seventy-ninth Congress.

60 Stat. 318.  
36 U. S. C. § 132.

Rules and regula-  
tions.

"SEC. 6. The Secretary of War is authorized to prescribe such rules and regulations as may be necessary to carry out the purposes and provisions of this Act.

Appropriations au-  
thorized.  
*Ante*, p. 686.

"SEC. 7. There is hereby authorized to be appropriated from time to time such sums as may be necessary to carry out the provisions of this Act, said sums to be made available for civil functions administered by the War Department, 'Cemeterial expenses, War Department', to be expended under the direction of the Secretary of War.

Termination of Act,  
etc.

"SEC. 8. This Act and the authority granted therein and all rules and regulations promulgated thereunder shall terminate on December 31, 1951, or upon such earlier date as may be specified in a proclamation by the President, or in a concurrent resolution by the two Houses of Congress as the date beyond which further continuance of the authority granted by this Act is not necessary in the public interest, whichever date is earliest: *Provided*, That as to any applications provided for under sections 3 and 4 filed prior to such termination date, the provisions of this Act and such rules or regulations promulgated pursuant thereto shall be treated as remaining in force for the purpose of providing for the return or overseas burial of remains in proper cases."

Prior applications.

Design and con-  
struction of cemeteries  
abroad.

SEC. 9. The American Battle Monuments Commission shall be solely responsible for the permanent design and construction of the cemeteries to be established in foreign countries under section 5 of this Act and of all buildings, plantings, headstones, and other permanent improvements incidental thereto. The Secretary of War is authorized to undertake such temporary construction as will be necessary for the accomplishment of this Act and to maintain such cemeteries in a suitable condition until such time as the functions of administration thereof shall pass to the American Battle Monuments Commission in accordance with section 12 of Public Law 456, Seventy-ninth Congress, or any other law.

Temporary con-  
struction.

60 Stat. 318.  
36 U. S. C. § 132.

Approved August 5, 1947.

#### [CHAPTER 498]

#### AN ACT

To provide for the reincorporation of The Institute of Inter-American Affairs, and for other purposes.

August 5, 1947

[H. R. 4168]

[Public Law 369]

Institute of Inter-  
American Affairs Act.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there be, as of the date of enactment of this Act, created as an agency of the United States of America a body corporate with the name of "The Institute of Inter-American Affairs" (in this Act called the "Institute").

SEC. 2. The purposes of this corporation are to further the general welfare of, and to strengthen friendship and understanding among, the peoples of the American Republics through collaboration with other governments and governmental agencies of the American Republics in planning, initiating, assisting, financing, administering, and executing technical programs and projects, especially in the fields of public health, sanitation, agriculture, and education.

SEC. 3. The Institute, as a corporation—

(a) Shall have succession for a period of three years unless sooner dissolved by an Act of Congress.

(b) May adopt, alter, and use a corporate seal, which shall be judicially noticed.

(c) May make and perform contracts with any individual, corporation, or other body of persons however designated, whether within or without the United States of America, and with any government or governmental agency, domestic or foreign.

(d) Shall determine and prescribe the manner in which its obligations shall be incurred and its expenses allowed and paid.

(e) May, as necessary for the transaction of the business of the Institute, employ officers, employees, agents, and attorneys in accordance with the provisions of the civil service and classification laws, except that the Institute may, without regard to the civil service and classification laws, employ, and fix the compensation of, officers, employees, agents, and attorneys of the Institute employed for service outside the continental limits of the United States: *Provided*, That the salary of any person thus employed shall not exceed the maximum salary established by the classification laws, and that the Institute may require bonds of any employee and pay the premiums of such bonds: *Provided further*, That no person who is a citizen of the United States not presently employed by the Institute of Inter-American affairs or the Inter-American Educational Foundation, Inc., shall be employed under authority of this paragraph (e) until such person has been investigated by the Federal Bureau of Investigation: *Provided further*, That no person not a citizen of the United States shall be employed under authority of this paragraph (e) for service in any American Republic of which such person is not a citizen except with the specific approval of the Government of the American Republic concerned.

(f) May acquire by purchase, devise, bequest, or gift, or otherwise, lease, hold, and improve such real and personal property as it finds to be necessary to its purposes, whether within or without the United States, and in any manner dispose of all such real and personal property held by it and use as general funds all receipts arising from the disposition of such property.

(g) Shall be entitled to the use of the United States mails in the same manner and on the same conditions as the executive departments of the Government.

(h) May, with the consent of any board, corporation, commission, independent establishment, or executive department of the Government, including any field service thereof, avail itself of the use of information, services, facilities, officers, and employees thereof in carrying out the provisions of this Act.

(i) May accept money, funds, property, and services of every kind by gift, devise or bequest, or grant, or otherwise, and make advances and grants to any individual, corporation, or other body of persons, whether within or without the United States of America, or to any government or governmental agency, domestic or foreign, when deemed advisable by the Institute in furtherance of its purposes.

(j) May sue and be sued, complain, and defend, in its corporate name in any court of competent jurisdiction.

Purposes.

Rights and powers.

Employment.

Salary; bonds.

Investigation by  
FBI.

Employment of  
noncitizens.

Acquisition and dis-  
posal of property.

Use of U. S. mails.

Use of services, etc.,  
of Government agen-  
cies.

Acceptance of  
money, etc.

Other powers.	(k) Shall have such other powers as may be necessary and incident to carrying out its powers and duties under this Act.
Termination of Institute.	SEC. 4. Upon termination of the corporate life of the Institute all of its functions shall be liquidated and, thereafter, unless otherwise provided by Congress, the assets shall be transferred to the United States Treasury as the property of the United States.
Board of directors.	SEC. 5. (a) The management of the Institute shall be vested in a board of directors (hereinafter referred to as the "Board") of not less than five in number, each of whom shall be appointed by the Secretary of State from among the officials and employees of the Department of State and, in the discretion of the Secretary of State and with the consent of the Chiefs of other departments or agencies respectively concerned from among the officials and employees of other United States Government departments and agencies: <i>Provided</i> , That no person shall be appointed as a director under authority of this paragraph (a) until such person has been investigated by the Federal Bureau of Investigation.
Investigation by FBI.	(b) The Secretary of State shall designate one director as Chairman of the Board.
	(c) The directors shall hold office at the pleasure of the Secretary of State.
Compensation.	(d) The directors shall receive no additional compensation for their services as directors but may be allowed actual necessary traveling and subsistence expenses incurred by them in the performance of their duties as directors.
	(e) The Board shall direct the exercise of all the powers of the Institute.
Rules, etc.	(f) The Board may prescribe, amend, and repeal bylaws, rules, and regulations governing the manner in which the business of the Institute may be conducted and in which the powers granted to it by law may be exercised and enjoyed: <i>Provided</i> , That a majority of the Board shall be required as a quorum.
Quorum.	(g) In furtherance and not in limitation of the powers conferred upon it, the Board may appoint such committees for the carrying out of the work of the Institute as the Board finds to be for the best interests of the Institute, each committee to consist of two or more of the directors, which committees, together with officers and agents duly authorized by the Board and to the extent provided by the Board, shall have and may exercise the powers of the Board in the management of the business and affairs of the Institute.
Committees.	SEC. 6. The Institute shall be a nonprofit corporation and shall have no capital stock. No part of its revenue, earnings, or other income or property shall inure to the benefit of its directors, officers, and employees and such revenue, earnings, or other income, or property shall be used for the carrying out of the corporate purposes herein set forth. No director, officer, or employee of the corporation shall in any manner directly or indirectly participate in the deliberation upon or the determination of any question affecting his personal interests or the interests of any corporation, partnership, or organization in which he is directly or indirectly interested.
Nonprofit corporation.	SEC. 7. When approved by the Institute, in furtherance of its purposes, the officers and employees of the Institute may accept and hold offices or positions to which no compensation is attached with governments or governmental agencies of the other American Republics.
Positions with other American republics.	SEC. 8. The Secretary of State shall have authority to detail employees of the Department of State to the Institute under such circumstances and upon such conditions as he may determine: <i>Provided</i> , That any such employee so detailed shall not lose any privileges, rights, or seniority as an employee of the Government by virtue of such detail.
Detail of employees.	

SEC. 9. The principal office of the Institute shall be located in the District of Columbia, but there may be established agencies, branch offices, or other offices in any place or places within the United States or the other American Republics in any of which locations the Institute may carry on all or any of its operations and business under bylaws or rules and regulations.

Principal office,  
agencies, etc.

SEC. 10. The Institute, including its franchise and income, shall be exempt from taxation now or hereafter imposed by the United States, or any Territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority.

Exemption from  
taxation.

SEC. 11. The right to alter, amend, or repeal this Act is hereby expressly reserved. If any clause, sentence, paragraph, or part of this Act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Act, but shall be confined in its operations to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Rights reserved.  
Separability of provisions.

SEC. 12. The Institute of Inter-American Affairs and the Inter-American Educational Foundation, Inc., two Government corporations caused to be created under the laws of the State of Delaware on March 31, 1942, and September 25, 1943, respectively, by the Coordinator of Inter-American Affairs, shall, within ten days following the enactment of this Act, transfer to the corporation created by this Act all necessary personnel, the assets, funds, and property—real, personal, and mixed—and all debts, liabilities, obligations, and duties, and all rights, privileges, and powers subject to all restrictions, disabilities, and duties of the two said corporations, and the corporation created by this Act, shall accept full title to and ownership of all the assets, funds, and property—real, personal, and mixed—and all debts, liabilities, obligations, and duties, and all rights, privileges, and powers subject to the said restrictions, disabilities, and duties of the two said corporations and all such debts, liabilities, obligations, and duties of the two said corporations shall henceforth attach to the corporation created by this Act and may be enforced against it to the same extent as if said debts, liabilities, obligations, and duties had been incurred or contracted by the corporation created by this Act: *Provided*, That all citizens of the United States presently employed by the Institute of Inter-American Affairs or the Inter-American Educational Foundation, Inc., and transferred under authority of this section 12 to the corporation created by this Act shall be investigated by the Federal Bureau of Investigation within six months following the date of enactment of this Act: *Provided further*, That no person not a citizen of the United States presently employed by the Institute of Inter-American Affairs or the Inter-American Educational Foundation, Inc., for service in an American Republic of which such person is not a citizen, and transferred under authority of this section 12, shall be retained in such service for a period exceeding three months from the date of enactment of this Act except with the specific approval of the government of the American Republic concerned.

Transfer of funds,  
property, etc.

Investigation of employees by FBI.

Retention of non-citizens.

SEC. 13. The Institute shall be subject to the provisions of the Government Corporation Control Act (Public Law 248, Seventy-ninth Congress).

59 Stat. 597.  
31 U. S. C. § 841 *et seq.*

SEC. 14. There are authorized to be appropriated, at a rate not to exceed \$5,000,000 annually, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out this Act.

*Ante*, p. 584.  
Appropriation authorized.

This Act may be cited as the "Institute of Inter-American Affairs Act".

Short title.

Approved August 5, 1947.

## [CHAPTER 499]

## JOINT RESOLUTION

August 5, 1947

[S. J. Res. 138]

[Public Law 370]

To provide for returns of Italian property in the United States, and for other purposes.

Return of Italian property.

Whereas article 79 of the Treaty of Peace with Italy, signed at Paris on February 10, 1947, grants to the Allied and Associated Powers the right to seize and retain "all property rights and interests which on the coming into force of the present treaty are within its territory and belong to Italy or to Italian nationals, and to apply such property or the proceeds thereof to such purposes as it may desire, within the limits of its claims and those of its nationals against Italy or Italian nationals, including debts, other than claims fully satisfied under other articles of the present treaty" and further provides that "All Italian property, or the proceeds thereof, in excess of the amount of such claims, shall be returned"; and

Whereas, pursuant to article 79 of the treaty of peace, negotiations have been entered into between the Governments of the United States and of Italy looking toward an agreement under which, upon the return of property, formerly Italian, in the United States, Italy will place at the disposal of the United States funds to be used in meeting certain claims of nationals of the United States; and

Whereas, for the purpose of carrying out such agreement, it is desirable to authorize, in accordance with the procedures provided for in section 32 of the Trading With the Enemy Act of October 6, 1917 (40 Stat. 411), as amended, return to Italy or citizens or subjects of Italy, or corporations or associations organized under the laws of Italy, of property vested in or transferred to the United States or its agencies; and

Whereas, for the purpose of aiding the revival of the Italian economy and establishing it on a self-sustaining basis, it is desirable that there be returned or transferred to Italy those Italian vessels acquired by the United States after December 7, 1941, for use in the war effort and now owned by the United States and vessels of a total tonnage approximately equal to the tonnage of those Italian vessels seized by the United States after September 1, 1939, and lost while being employed in the United States war effort: Therefore be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President, or such officer or agency as he may designate, is hereby authorized to return, in accordance with the procedures provided for in section 32 of the Trading With the Enemy Act, as amended, any property or interest, or the net proceeds thereof, which has been, since December 18, 1941, vested in or transferred to any officer or agency of the United States pursuant to the Trading With the Enemy Act, as amended, and which immediately prior to such vesting or transfer was the property or interest of Italy or a citizen or subject of Italy, or a corporation or association organized under the laws of Italy.

SEC. 2. Section 32 (a) (2) of the Trading With the Enemy Act of October 6, 1917 (40 Stat. 411), as amended, is hereby further amended to read as follows:

"(2) that such owner, and legal representative or successor in interest, if any, are not—

"(A) the Government of Germany, Japan, Bulgaria, Hungary, or Rumania; or

"(B) a corporation or association organized under the laws of such nation: *Provided*, That any property or interest or proceeds which, but for the provisions of this subdivision

60 Stat. 50.  
50 U. S. C. app. § 32.  
*Infra*.

*Supra*.

60 Stat. 51.  
50 U. S. C. app.  
§ 32 (a) (2).  
Owners, etc., ex-  
cepted.

Corporations, etc.,  
organized under laws  
of designated nations.

(B), might be returned under this section to any such corporation or association, may be returned to the owner or owners of all the stock of such corporation or of all the proprietary and beneficial interest in such association, if their ownership of such stock or proprietary and beneficial interest existed immediately prior to vesting in or transfer to the Alien Property Custodian and continuously thereafter to the date of such return (without regard to purported divestments or limitations of such ownership by any government referred to in subdivision (A) hereof) and if such ownership was by one or more citizens of the United States or by one or more corporations organized under the laws of the United States or any State, Territory, or possession thereof, or the District of Columbia: *Provided further*, That such owner or owners shall succeed to those obligations limited in aggregate amount to the value of such property or interest or proceeds, which are lawfully assertible against the corporation or association by persons not ineligible to receive a return under this section; or

“(C) an individual voluntarily resident at any time since December 7, 1941, within the territory of such nation, other than a citizen of the United States or a diplomatic or consular officer of Italy or of any nation with which the United States has not at any time since December 7, 1941, been at war: *Provided*, That an individual who, while in the territory of a nation with which the United States has at any time since December 7, 1941, been at war, was deprived of life or substantially deprived of liberty pursuant to any law, decree, or regulation of such nation discriminating against political, racial, or religious groups, shall not be deemed to have voluntarily resided in such territory; or

Persons voluntarily resident within designated nations.

Person not deemed voluntary resident.

“(D) an individual who was at any time after December 7, 1941, a citizen or subject of Germany, Japan, Bulgaria, Hungary, or Rumania, and who on or after December 7, 1941, and prior to the date of the enactment of this section, was present (other than in the service of the United States) in the territory of such nation or in any territory occupied by the military or naval forces thereof or engaged in any business in any such territory: *Provided*, That notwithstanding the provisions of this subdivision (D) return may be made to an individual who, as a consequence of any law, decree, or regulation of the nation of which he was then a citizen or subject, discriminating against political, racial, or religious groups, has at no time between December 7, 1941, and the time when such law, decree, or regulation was abrogated, enjoyed full rights of citizenship under the law of such nation; or

Citizens or subjects of designated nations.

“(E) a foreign corporation or association which at any time after December 7, 1941, was controlled or 50 per centum or more of the stock of which was owned by any person or persons ineligible to receive a return under subdivisions (A), (B), (C), or (D) hereof: *Provided*, That notwithstanding the provisions of this subdivision (E), return may be made to a corporation or association so controlled or owned, if such corporation or association was organized under the laws of a nation any of whose territory was occupied by the military or naval forces of any nation with which the United States has at any time since December 7, 1941, been at war, and if such control or ownership arose after March 1, 1938, as an

Foreign corporation, etc., controlled by ineligible persons.

incident to such occupation and was terminated prior to the enactment of this section;

and”

SEC. 3. The first sentence of section 33 of the Trading With the Enemy Act (40 Stat. 411), as amended, is hereby further amended to read as follows:

60 Stat. 925.  
50 U. S. C. app. § 33.  
Notice of claim for  
return.  
41 Stat. 977; 60 Stat.  
50.  
50 U. S. C. app.  
§§ 9 (a), 32 (a).  
*Ante*, p. 784.

“SEC. 33. No return may be made pursuant to section 9 (a) or 32 (a) unless notice of claim for return has been filed within two years from the seizure or vesting in the Alien Property Custodian, as the case may be, of the property or interest in respect of which the claim is made or by August 8, 1948, or in the cases of claims pursuant to section 32 (a) by Italy, citizens or subjects of Italy, or corporations or associations organized under the laws of Italy, by July 31, 1949, whichever is later.

Transfer of vessels.

SEC. 4. The President is authorized upon such terms as he deems necessary (a) to transfer to the Government of Italy all vessels which were under Italian registry and flag on September 1, 1939, and were thereafter acquired by the United States and are now owned by the United States; and (b) with respect to any vessel under Italian registry and flag on September 1, 1939, and subsequently seized in United States ports and thereafter lost while being employed in the United States war effort, to transfer to the Government of Italy surplus merchant vessels of the United States of a total tonnage approximately equal to the total tonnage of the Italian vessels lost: *Provided*, That no monetary compensation shall be paid either for the use by the United States or its agencies of former Italian vessels so acquired or seized or for the return or transfer of such vessels or substitute vessels.

Monetary compen-  
sation.

Approved August 5, 1947.

#### [CHAPTER 502]

#### AN ACT

August 6, 1947  
[H. R. 72]  
[Public Law 371]

To increase the number of authorized aviation stations operated by the Coast Guard, and for other purposes.

Coast Guard.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the sixth paragraph under the heading “Coast Guard” of the Act entitled “An Act making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and seventeen, and for other purposes”, approved August 29, 1916 (U. S. C., 1940 edition, title 14, sec. 29), is amended to read as follows:

39 Stat. 601.

Aviation stations.

“For the purpose of saving life and property along the coasts of and in the interior of the United States and its possessions, and at sea, and to assist in the national defense, the Secretary of the Treasury is authorized to establish, equip, and maintain aviation stations, not exceeding fifteen in number, at such points in the United States and its possessions as he may deem advisable, and to detail for aviation duty and instruction in connection therewith officers and enlisted men of the United States Coast Guard.”

Approved August 6, 1947.

#### [CHAPTER 503]

#### AN ACT

August 6, 1947  
[H. R. 2800]  
[Public Law 372]

To amend section 5 of Home Owners’ Loan Act of 1933, and for other purposes.

48 Stat. 132.  
12 U. S. C. § 1464 (c).

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That subsection (c) of section 5 of the Home Owners’ Loan Act of 1933, as amended, is hereby amended by adding at the end thereof the following:

"Notwithstanding any other provision of this subsection except the area restriction such associations may invest their funds in loans insured under title I of the National Housing Act, as amended, loans guaranteed or insured as provided in the Servicemen's Readjustment Act of 1944, as amended (except business loans provided by section 503 thereof and not secured by a lien on real estate), or in other loans for property alteration, repair, or improvement: *Provided*, That no such loan shall be made in excess of \$1,500 except in conformity to the other provisions of this subsection, and that the total amount of loans so made without regard to the other provisions of this subsection shall not, at any time, exceed 15 per centum of the association's assets."

Approved August 6, 1947.

Investment of funds  
in loans.  
48 Stat. 1246.  
12 U. S. C. §§ 1702-  
1708.  
*Ante*, pp. 182, 208.  
58 Stat. 284, 292.  
38 U. S. C. §§ 693-  
697g, 694c.  
*Ante*, pp. 32, 133,  
454.  
Restriction.

#### [CHAPTER 504]

#### AN ACT

To define the functions and duties of the Coast and Geodetic Survey, and for other purposes.

August 6, 1947  
[H. R. 3541]  
[Public Law 373]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, to provide charts and related information for the safe navigation of marine and air commerce, and to provide basic data for engineering and scientific purposes and for other commercial and industrial needs, the Director of the Coast and Geodetic Survey, hereinafter referred to as the Director, under direction of the Secretary of Commerce, is authorized to conduct the following activities in the United States, its Territories, and possessions:

Coast and Geodetic  
Survey.  
Activities.

(1) Hydrographic and topographic surveys of coastal water and land areas (including surveys of offlying islands, banks, shoals, and other offshore areas);

(2) Hydrographic and topographic surveys of lakes, rivers, reservoirs, and other inland waters not otherwise provided for by statute;

(3) Tide and current observations;

(4) Geodetic-control surveys;

(5) Field surveys for aeronautical charts;

(6) Geomagnetic, seismological, gravity, and related geophysical measurements and investigations, and observations for the determination of variation in latitude and longitude.

SEC. 2. In order that full public benefit may be derived from the operations of the Coast and Geodetic Survey by the dissemination of data resulting from the activities herein authorized and of related data from other sources, the Director is authorized to conduct the following activities:

Dissemination of  
data.

(1) Analysis and prediction of tide and current data;

(2) Processing and publication of data, information, compilations, and reports;

(3) Compilation and printing of aeronautical charts of the United States, its Territories, and possessions; and, in addition, the compilation and printing of such aeronautical charts covering international airways as are required primarily by United States civil aviation;

(4) Compilation and printing of nautical charts of the United States, its Territories, and possessions;

(5) Distribution of aeronautical charts and related navigational publications required by United States civil aviation;

(6) Distribution of nautical charts and related navigational publications for the United States, its Territories, and possessions.

SEC. 3. To provide for the orderly collection of geomagnetic data from domestic and foreign sources, and to assure that such data shall be readily available to Government and private agencies and individuals, the Coast and Geodetic Survey is hereby designated as the

Geomagnetic data.



central depository of the United States Government for geomagnetic data, and the Director is authorized to collect, correlate, and disseminate such data.

Developmental  
work, etc.

SEC. 4. To improve the efficiency of the Coast and Geodetic Survey and to increase engineering and scientific knowledge, the Director is authorized to conduct developmental work for the improvement of surveying and cartographic methods, instruments, and equipments; and to conduct investigations and research in geophysical sciences (including geodesy, oceanography, seismology, and geomagnetism).

Cooperation with  
organizations.

SEC. 5. The Director is authorized to enter into cooperative agreements with, and to receive and expend funds made available by, any State or subdivision thereof, or any public or private organization, or individual, for surveys or investigations authorized herein, or for performing related surveying and mapping activities, including special-purpose maps, and for the preparation and publication of the results thereof.

Contracts.

SEC. 6. The Director is authorized to contract with qualified organizations for the performance of any part of the authorized functions of the Coast and Geodetic Survey when he deems such procedure to be in the public interests.

Acceptance of gifts,  
etc.

SEC. 7. The Secretary of Commerce is hereby authorized to accept and utilize gifts or bequests of money and other real or personal property for the purpose of aiding or facilitating the work of the Coast and Geodetic Survey and such gifts and bequests and the income therefrom shall be exempt from Federal taxes.

Tax exemption.

Employment of  
public vessels.

SEC. 8. The President is authorized to cause to be employed such of the public vessels as he deems it expedient to employ, and to give such instructions for regulating their conduct as he deems proper in order to carry out the provisions of this Act.

Appropriations  
authorized.

SEC. 9. There are hereby authorized to be appropriated such funds as may be necessary to acquire, construct, maintain, and operate ships, stations, equipment, and facilities and for such other expenditures, including personal services at the seat of government and elsewhere and including the erection of temporary observatory buildings and lease of sites therefor, as may be necessary for the conduct of the activities herein authorized.

Repeals.

SEC. 10. The following statutes are hereby repealed:

- (1) The Act of January 31, 1925 (ch. 121, 43 Stat. 802; 33 U. S. C. 866).
- (2) Section 4681 of the Revised Statutes (33 U. S. C. 881).
- (3) Section 4682 of the Revised Statutes (33 U. S. C. 882).
- (4) Section 4683 of the Revised Statutes (33 U. S. C. 883).
- (5) Section 4684 of the Revised Statutes (33 U. S. C. 883).
- (6) Section 4686 of the Revised Statutes (33 U. S. C. 885).

Approved August 6, 1947.

#### [CHAPTER 505]

#### AN ACT

August 6, 1947  
[H. R. 3738]  
[Public Law 374]

To amend Public Law 88, Seventy-ninth Congress, approved June 23, 1945.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Public Law 88, Seventy-ninth Congress, approved June 23, 1945, is amended by adding a new section to read as follows:

59 Stat. 260.  
15 U. S. C. § 606b  
note.

Nonprocessing  
slaughterer.  
Extra compensation  
payments.

"SEC. 3. Any person who, after the issuance of amendment numbered 1 (dated July 5, 1945) or amendment numbered 2 (dated July 11, 1945) to Directive Numbered 56 of the Director of Economic Stabilization, and pursuant to the authority thereof, became qualified and eligible, or was declared or determined by such Director to have the

necessary qualifications for eligibility, to receive extra compensation payments as a nonprocessing slaughterer (such person previously having been held not qualified to receive extra compensation payments as a nonprocessing slaughterer), shall be entitled to receive such extra compensation payments for such period of time prior to July 23, 1945, as such person would have been entitled to receive if such Directive Numbered 56, and amendments numbered 1 and 2 thereto, and any such determination by such Director, had become effective November 1, 1943. The Reconstruction Finance Corporation is authorized and directed to make the extra compensation payments which any person is entitled to receive pursuant to this section. As used in this section the term 'person' includes an individual, firm, partnership, or corporation: *Provided*, That claims hereunder must be filed within six months after the enactment of this Act."

Approved August 6, 1947.

[CHAPTER 506]

AN ACT

To change the order of priority for payment out of the German special deposit account, and for other purposes.

August 6, 1947  
[H. R. 4043]

[Public Law 375]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 4 (b) of the Settlement of War Claims Act of 1928, as amended, is amended by striking out the word "and" at the end of paragraph (2), by striking out the period at the end of paragraph (3) and inserting in lieu thereof a semicolon followed by the word "and", and by adding the following new paragraph:

Settlement of War  
Claims Act of 1928,  
amendments.  
45 Stat. 260.

"(4) All money held in the Alien Property Trust Fund whose payment is restricted under the joint resolution entitled 'Joint resolution to amend the Settlement of War Claims Act of 1928, as amended', approved June 27, 1934, other than property with respect to which the restrictions imposed by such joint resolution have been removed by the President prior to the enactment of this paragraph. The Attorney General shall certify to the Secretary of the Treasury the amounts to be so deposited."

German special de-  
posit account

48 Stat. 1267.  
43 U. S. C. § 403.

Certification of  
amounts.

SEC. 2. Paragraph (13) of section 4 (c) of the Settlement of War Claims Act of 1928, as amended, is redesignated "(14)" and paragraphs (8), (9), (10), (11), and (12) are amended to read as follows:

45 Stat. 262, 261.

"(8) To pay (A) the accrued interest payable under subsection (c) of section (2) (in respect of awards of the Mixed Claims Commission) and (B) after such interest has been paid in full, to pay amounts equal to the difference between the aggregate payments (in respect of awards of the Mixed Claims Commission) authorized by subsections (b) and (c) of section 2 and the amounts previously paid in respect thereof: *Provided*, That, for the purpose only of subsection (c) of section 2, the amounts payable under subsection (b) of section 2 and remaining unpaid shall be deemed reduced by the amount of any payments of interest hereafter made under clause (A) hereof;

Accrued interest.

45 Stat. 254.

"(9) To pay into the Treasury as miscellaneous receipts the amount of the awards of the Mixed Claims Commission to the United States on its own behalf on account of claims of the United States against Germany;

Payment of awards  
to U. S.

"(10) To pay the accrued interest payable under subsection (h) of section 3 (in respect of awards to German nationals);

45 Stat. 258.

"(11) To make such payments as are necessary (A) to repay the amounts invested by the Alien Property Custodian under sub-

Investments by  
Alien Property Cus-  
todian.

45 Stat. 268.  
50 U. S. C. app.  
§ 25 (a).

45 Stat. 268.  
Apportionment of  
payments.

Accrued interest on  
participating certifi-  
cates.

45 Stat. 268.  
50 U. S. C. app.  
§ 25 (a).

Unallocated inter-  
est fund.

45 Stat. 268.  
50 U. S. C. app.  
§ 25 (b).

45 Stat. 273.  
50 U. S. C. app.  
§ 25 (c).

section (a) of section 25 of the Trading With the Enemy Act, as amended (relating to the investment of 20 per centum of German property temporarily withheld), (B) to pay amounts equal to the difference between the aggregate payments (in respect of claims of German nationals) authorized by subsections (g) and (h) of section 3 and the amounts previously paid in respect thereof. If funds available are not sufficient to make the total payments authorized by this paragraph, the amount of payments made from time to time shall be apportioned among the payments authorized under clauses (A) and (B), according to the aggregate amount remaining unpaid under each clause;

“(12) To pay accrued interest upon the participating certificates evidencing the amounts invested by the Alien Property Custodian under subsection (a) of section 25 of the Trading With the Enemy Act, as amended (relating to the investment of 20 per centum of German property temporarily withheld);

“(13) To make such payments as are necessary to repay the amounts invested by the Alien Property Custodian under subsection (b) of section 25 of the Trading With the Enemy Act, as amended (relating to the investment of the unallocated interest fund); but the amount payable under this paragraph shall not exceed the aggregate amount allocated to the trusts described in subsection (c) of section 26 of such Act; and”.

Approved August 6, 1947.

#### [CHAPTER 507]

#### AN ACT

To amend the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976).

August 6, 1947  
[H. R. 4079]  
[Public Law 376]

Taylor Grazing Act,  
amendment.

Issuance of grazing  
permits.

Fees.

Restriction.

Deposit of funds.  
48 Stat. 1273.  
43 U. S. C. §§ 315h,  
315j.  
Post, p. 791.  
Distribution.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the first sentence of section 3 of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1270; 43 U. S. C., sec. 315b), is hereby amended to read as follows:

“The Secretary of the Interior is hereby authorized to issue or cause to be issued permits to graze livestock on such grazing districts to such bona fide settlers, residents, and other stock owners as under his rules and regulations are entitled to participate in the use of the range, upon the payment annually of reasonable fees in each case to be fixed or determined from time to time, and in fixing the amount of such fees the Secretary of the Interior shall take into account the extent to which such districts yield public benefits over and above those accruing to the users of the forage resources for livestock purposes. Such fees shall consist of a grazing fee for the use of the range, and a range-improvement fee which, when appropriated by the Congress, shall be available until expended solely for the construction, purchase, or maintenance of range improvements. Grazing permits shall be issued only to citizens of the United States or to those who have filed the necessary declarations of intention to become such, as required by the naturalization laws, and to groups, associations, or corporations authorized to conduct business under the laws of the State in which the grazing district is located.”

SEC. 2. Section 10 of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1273), as amended June 26, 1936 (49 Stat. 1978; 43 U. S. C., sec. 315i), is hereby amended to read as follows:

“Except as provided in sections 9 and 11 hereof, all moneys received under the authority of this Act shall be deposited in the Treasury of the United States as miscellaneous receipts, but the following proportions of the moneys so received shall be distributed as follows: (a) 12½

per centum of the moneys collected as grazing fees under section 3 of this Act during any fiscal year shall be paid at the end thereof by the Secretary of the Treasury to the State in which the grazing districts producing such moneys are situated, to be expended as the State legislature of such State may prescribe for the benefit of the county or counties in which the grazing districts producing such moneys are situated: *Provided*, That if any grazing district is in more than one State or county, the distributive share to each from the proceeds of said district shall be proportional to its area in said district; (b) 25 per centum of all moneys collected under section 15 of this Act during any fiscal year when appropriated by the Congress, shall be available until expended solely for the construction, purchase, or maintenance of range improvements; and 50 per centum of all moneys collected under section 15 of this Act during any fiscal year shall be paid at the end thereof by the Secretary of the Treasury to the State in which the lands producing such moneys are located, to be expended as the State legislature of such State may prescribe for the benefit of the county or counties in which the lands producing such moneys are located: *Provided*, That if any leased tract is in more than one State or county, the distributive share to each from the proceeds of said leased tract shall be proportional to its area in said leased tract."

SEC. 3. The first two sentences of section 11 of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1273), are hereby amended to read as follows:

"That when appropriated by Congress, 33 $\frac{1}{3}$  per centum of all grazing fees received from each grazing district on Indian lands ceded to the United States for disposition under the public-land laws during any fiscal year shall be paid at the end thereof by the Secretary of the Treasury to the State in which said lands are situated, to be expended as the State legislature may prescribe for the benefit of public schools and public roads of the county or counties in which such grazing lands are situated. And the remaining 66 $\frac{2}{3}$  per centum of all grazing fees received from such grazing lands shall be deposited to the credit of the Indians pending final disposition under applicable laws, treaties, or agreements."

Approved August 6, 1947.

# [CHAPTER 508]

## AN ACT

Relating to institutional on-farm training for veterans.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That paragraph 4 of part VIII of Veterans Regulation Numbered 1 (a), as amended, is amended by striking out "(including apprenticeship and refresher or retraining training)" and by inserting in lieu thereof "(including apprenticeship, refresher or retraining and institutional on-farm training)".

SEC. 2. Paragraph 5 of part VIII of Veterans Regulation Numbered 1 (a), as amended, is amended by striking out "The Administrator shall pay to the educational or training institution" and by inserting in lieu thereof "The Administrator shall pay to the educational or training institution (including the institution offering institutional on-farm training)".

SEC. 3. Paragraph 6 of part VIII of Veterans Regulation Numbered 1 (a), as amended, is amended by striking out "While enrolled in and pursuing a course under this part" and by inserting in lieu thereof "While enrolled in and pursuing a course under this part (including an institutional on-farm training course)".

*Ante*, p. 790.

Grazing district in more than one State, etc.

48 Stat. 1275.  
43 U. S. C. § 315m.

Leased tract in more than one State, etc.

43 U. S. C. § 315j.

Grazing fees from Indian lands.

August 6, 1947  
[H. R. 2181]  
[Public Law 377]

58 Stat. 289.  
38 U. S. C. note foll.  
§ 739.

58 Stat. 289.  
38 U. S. C. note foll.  
§ 739.

58 Stat. 289.  
38 U. S. C. note foll.  
§ 739.

58 Stat. 290.  
38 U. S. C. note foll.  
§ 739.

"Institutional on-  
farm training."

Requirements of  
full-time course.

Additional require-  
ments.

SEC. 4. Paragraph 11 of part VIII of Veterans Regulation Numbered 1 (a), as amended, is amended by adding at the end thereof the following new subparagraph:

"(c) As used in this part the term 'institutional on-farm training' shall include any course of instruction approved by the appropriate agency of the State or the Administrator. Such course shall be considered a full-time course when it combines (1) organized group instruction in agricultural and related subjects of at least two hundred hours per year (and of at least eight hours each month) at an educational or training institution, with (2) supervised work experience on a farm or other agricultural establishment. To be approved, such a course shall be developed with due consideration to the size and character of the farm on which the veteran is to receive his supervised work experience and to the need of the veteran, in the type of farming for which he is training, for proficiency in planning, producing, marketing, farm mechanics, conservation of resources, food conservation, farm financing, farm management, and the keeping of farm and home accounts. Such a course shall, in addition, satisfy the requirements of either of the following:

"1. If the veteran performs part of his course on a farm under his own control—

"a. he shall receive not less than one hundred hours of individual instruction per year, not less than fifty hours of which shall be on such farm (with at least two visits by the instructor to such farm each month). Such individual instruction shall be given by the instructor responsible for the veteran's institutional instruction and shall include instruction and home-study assignments in the preparation of budgets, inventories, and statements showing the production, use on the farm, and sale of crops, livestock, and livestock products;

"b. he shall be assured of control of such farm (whether by ownership, lease, management agreement, or other tenure arrangement) until the completion of his course; and

"c. such farm shall be of a size and character which (1) together with the group instruction part of the course, will occupy the full time of the veteran, (2) will permit instruction in all aspects of the management of a farm of the type for which the veteran is being trained, and (3) if the veteran intends to continue operating such farm at the close of his course, will assure him a satisfactory income under normal conditions.

"2. If the veteran performs part of his course as the employee of another—

"a. he shall receive, on his employer's farm, not less than fifty hours of individual instruction per year (with at least one visit by the instructor to such farm each month). Such individual instruction shall be given by the instructor responsible for the veteran's institutional instruction;

"b. his employer's farm shall be of a size and character which (1) together with the group instruction part of the course, will occupy the full time of the veteran, and (2) will permit instruction in all aspects of the management of a farm of the type for which the veteran is being trained;

"c. his employer shall agree to instruct him in various aspects of farm management in accordance with the training schedule developed for the veteran by his instructor, working in cooperation with his employer. If it is found by the Administrator of Veterans' Affairs or the State approving agency that any approved course of institutional on-farm training has ceased to meet the requirements of this Act, the Veterans' Administration

Loss of benefits.

shall cut off all benefits under this part as of the date of such withdrawal of approval. Where it has been found that a variation in the proportion of hours of group instruction and individual instruction on the farm will better serve the conditions in a certain area, any program acceptable to the State approving agency which meets the total number of training hours called for in this Act (including assembled instruction, individual instruction, and assigned and supervised related home study and supervision in operational skills by the farmer trainer under the direction of the institution) shall be recognized as complying with the requirements of this Act; and

"d. The Administrator of Veterans' Affairs is authorized to contract with approved institutions for such courses where the Administrator finds that the agreed cost is reasonable and fair."

SEC. 5. The amendments made by this Act shall take effect on the first day of the first calendar month following the month in which this Act is enacted. Until such effective date, the practices of the Veterans' Administration as to institutional on-farm training in effect on the date of the enactment of this Act shall remain in effect.

Approved August 6, 1947.

Variation in proportion of hours of instruction.

Contracts.

Effective date.

#### [CHAPTER 509]

##### AN ACT

To extend the time within which applications may be made to the Railroad Retirement Board for certain refunds from the Unemployment Trust Fund.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act entitled "An Act to provide for refunds to railroad employees in certain cases, so as to place the various States on an equal basis, under the Railroad Unemployment Insurance Act, with respect to contributions of employees", approved August 2, 1946 (Public Law 599, Seventy-ninth Congress), is hereby amended by striking out "twelve months" and inserting in lieu thereof "two years".

Approved August 6, 1947.

August 6, 1947

[H. R. 3632]

[Public Law 378]

Railroad employees.  
Refunds.

60 Stat. 806.  
45 U. S. C. § 363a.

#### [CHAPTER 510]

##### AN ACT

To amend the Federal Insurance Contributions Act with respect to rates of tax on employers and employees, and for other purposes.

*Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled*, That clauses (1), (2), and (3) of section 1400 of the Federal Insurance Contributions Act (Internal Revenue Code, sec. 1400), as amended, are hereby amended to read as follows:

"(1) With respect to wages received during the calendar years 1939 to 1949, both inclusive, the rate shall be 1 per centum.

"(2) With respect to wages received during the calendar years 1950 and 1951, the rate shall be 1½ per centum.

"(3) With respect to wages received after December 31, 1951, the rate shall be 2 per centum."

SEC. 2. Clauses (1), (2), and (3) of section 1410 of the Federal Insurance Contributions Act (Internal Revenue Code, sec. 1410), as amended, are hereby amended to read as follows:

"(1) With respect to wages paid during the calendar years 1939 to 1949, both inclusive, the rate shall be 1 per centum.

"(2) With respect to wages paid during the calendar years 1950 and 1951, the rate shall be 1½ per centum.

August 6, 1947

[H. R. 3818]

[Public Law 379]

Social Security Act  
Amendments of 1947.

53 Stat. 175; 60 Stat.  
978.  
26 U. S. C. § 1400  
(1), (2), (3).

53 Stat. 176; 60 Stat.  
978.  
26 U. S. C. § 1410  
(1), (2), (3).

"(3) With respect to wages paid after December 31, 1951, the rate shall be 2 per centum."

60 Stat. 993.  
42 U. S. C. § 303  
note.

58 Stat. 792.  
50 U. S. C. app.  
§ 1651 note.

58 Stat. 789.  
42 U. S. C. §§ 1104,  
1321; 50 U. S. C. app.

§§ 1666, 1667.  
58 Stat. 790.  
42 U. S. C. § 1104 (h);  
50 U. S. C. app.  
§ 1666 (b).  
Federal unemploy-  
ment account.

49 Stat. 639.  
42 U. S. C. §§ 1101-  
1110.  
53 Stat. 183.  
26 U. S. C. §§ 1600-  
1611.  
*Ante*, p. 416.

"Unemployment  
administrative ex-  
penditures."  
49 Stat. 626.  
42 U. S. C. §§ 501-  
503.

*Supra*.

*Supra*.  
42 U. S. C. § 1103  
note.

52 Stat. 1105.  
45 U. S. C. § 361 (b).  
58 Stat. 790.  
42 U. S. C. § 1321  
(a); 50 U. S. C. app.  
§ 1667 (a).

Short title.

SEC. 3. Section 504 of the Social Security Act Amendments of 1946 (Public Law 719, Seventy-ninth Congress), fixing the termination date of amendments relating to grants to States for old-age assistance, aid to the blind, and aid to dependent children, is hereby amended by striking out "December 31, 1947" and inserting in lieu thereof "June 30, 1950".

SEC. 4. Section 603 of the War Mobilization and Reconversion Act of 1944 (terminating the provisions of such Act on June 30, 1947) shall not be applicable in the case of the amendments made by title IV of such Act to the Social Security Act.

SEC. 5. (a) Section 904 (h) of the Social Security Act is hereby amended to read as follows:

"(h) There is hereby established in the Unemployment Trust Fund a Federal unemployment account. There is hereby authorized to be appropriated to such Federal unemployment account a sum equal to (1) the excess of taxes collected prior to July 1, 1946, under title IX of this Act or under the Federal Unemployment Tax Act, over the total unemployment administrative expenditures made prior to July 1, 1946, plus (2) the excess of taxes collected in each fiscal year beginning after June 30, 1946, and ending prior to July 1, 1949, under the Federal Unemployment Tax Act, over the unemployment administrative expenditures made in such year, and the excess of such taxes collected during the period beginning on July 1, 1949, and ending on December 31, 1949, over the unemployment administrative expenditures made during such period. Any amounts in the Federal unemployment account on April 1, 1950, and any amounts repaid to such account after such date, shall be covered into the general fund of the Treasury. As used in this subsection, the term 'unemployment administrative expenditures' means expenditures for grants under title III of this Act, expenditures for the administration of that title by the Board or the Administrator, and expenditures for the administration of title IX of this Act, or of the Federal Unemployment Tax Act by the Department of the Treasury, the Board, or the Administrator. For the purposes of this subsection there shall be deducted from the total amount of taxes collected prior to July 1, 1943, under title IX of this Act, the sum of \$40,561,886.43 which was authorized to be appropriated by the Act of August 24, 1937 (50 Stat. 754) and the sum of \$18,451,846 which was authorized to be appropriated by section 11 (b) of the Railroad Unemployment Insurance Act."

(b) Section 1201 (a) of the Social Security Act is hereby amended by striking out "on June 30, 1945, or on the last day in any ensuing calendar quarter which ends prior to July 1, 1947", and inserting in lieu thereof "on June 30, 1947, or on the last day in any ensuing calendar quarter which ends prior to January 1, 1950".

SEC. 6. This Act may be cited as the "Social Security Act Amendments of 1947."

Approved August 6, 1947.

#### [CHAPTER 511]

#### AN ACT

August 6, 1947  
[H. R. 4070]  
[Public Law 380]

To carry into effect certain parts relating to patents of the treaties of peace with Italy, Bulgaria, Hungary, and Rumania, ratified by the Senate on June 5, 1947, and for other purposes.

Patents.  
Italy, Bulgaria,  
Hungary, Rumania.  
25 Stat. 1372.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the International Convention for the Protection of Industrial Property of 1883, as amended, is considered as reestablished and in full force and effect

between the United States and Italy, Bulgaria, Hungary, and Rumania from the date of this Act and the nationals of the latter countries may hereafter apply for and obtain patents in the United States for their inventions and enjoy the rights and privileges thereof as provided in article 2 of said convention: *Provided, however,* That patents shall not be applied for or obtained, or if obtained, shall not be valid, for inventions heretofore made relating to war material as specified in article 6 of annex XV A of the Treaty of Peace with Italy, article 6 of annex IV of the Treaty of Peace with Bulgaria, article 6 of annex IV A of the Treaty of Peace with Hungary, and article 6 of annex IV A of the Treaty of Peace with Rumania.

Restriction.

SEC. 2. The rights of priority and the times for the taking of any action specified in sections 1 and 3 of Public Law 690, Seventy-ninth Congress, approved August 8, 1946, which had not expired on December 8, 1941, or which commenced after such date, shall be and are hereby extended until February 29, 1948, in favor of nationals of Italy, Bulgaria, Hungary, and Rumania, subject to the conditions and limitations specified in sections 1, 3, 4, and 10 of said Public Law 690: *Provided, however,* That nothing in this Act shall affect any act which has been or shall be done by virtue of special measures taken under legislative, executive, administrative, or military authority of the United States during World War II.

Extension of rights of priority.

60 Stat. 940, 942.  
35 U. S. C. §§ 101, 103.60 Stat. 940, 942, 944.  
35 U. S. C. §§ 101, 103, 104, 110.

SEC. 3. Nationals of Germany and Japan may hereafter apply for and obtain patents in the United States for their inventions in accordance with the patent laws and enjoy the rights and privileges thereof: *Provided, however,* That patents obtained for such inventions shall be subject to any conditions and limitations with respect to duration, revocation, utilization, assignment, and licensing which may be imposed by Congress, or by the President in accordance with the provisions of any peace treaty hereafter entered into with Germany or Japan: *And provided further,* That, except for patents based on applications filed in the United States Patent Office prior to the date of enactment of this Act, patents may not be applied for or obtained, or if obtained, shall not be valid, for any invention made, or upon which an application was filed by any such national, before January 1, 1946, in Germany or Japan or in the territory of any other of the Axis Powers or in any territory occupied by the Axis forces.

Nationals of Germany and Japan.

Conditions and limitations.

Inventions made prior to Jan. 1, 1946, in territory of Axis Powers.

Approved August 6, 1947.

## [CHAPTER 512]

## AN ACT

To provide for the promotion and elimination of officers of the Army, Navy, and Marine Corps, and for other purposes.

August 7, 1947  
[H. R. 3830]

[Public Law 381]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SHORT TITLE

That this Act, divided into titles and sections according to the following table of contents, may be cited as the "Officer Personnel Act of 1947":

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*Post*, p. 815.

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*Post*, p. 829.

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*Post*, p. 869.

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- Sec. 428. Amendment of Public Law 56, Eightieth Congress. *Post, p. 880.*
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- Sec. 523. Saving clause. *Post, p. 913.*

## TITLE I—PERMANENT PROVISIONS RELATING TO OFFICERS OF THE LINE OF THE NAVY

### PERMANENT STATUS OF TITLE I

SEC. 101. The provisions of this title shall constitute permanent, as distinguished from terminable, provisions of law relating to the distribution of commissioned officers in the various grades of the line of the Regular Navy, to the promotion of such officers to the grades above that of lieutenant (junior grade), and to their involuntary separation from the active list.

### DEFINITIONS

"Officers."

SEC. 102. (a) As used in this title, the word "officers" shall be held to mean commissioned officers holding permanent appointments as such on the active list in the line of the Regular Navy. Unless otherwise qualified, it shall be held to include officers designated for engineering duty, aeronautical engineering duty, special duty, and limited duty, and to exclude commissioned warrant officers.

Military titles.

(b) As used in this title, military titles shall be held to describe an officer or officers, as the case may be, holding permanent appointment on the active list in the line of the Regular Navy in the grade concerned.

"Not restricted in the performance of duty."

(c) As used in this title, the words "not restricted in the performance of duty" shall be held to describe officers not designated for engineering duty, aeronautical engineering duty, special duty, or limited duty, or officers of the Marine Corps not designated for supply duty or limited duty.

Computation of commissioned service.

(d) For the purposes of this title in respect to eligibility for continuation on the active list and in respect to separation from the active list, the total commissioned service of an officer who shall have served continuously in the Regular Navy following appointment therein in the grade or rank of ensign upon graduation from the Naval Academy or pursuant to the Act of August 13, 1946 (Public Law 729, Seventy-ninth Congress), shall be computed from June 30 of the fiscal year in which he accepted such appointment. Each other officer shall be deemed to have for these purposes as much total commissioned service as any officer described above in this subsection who shall not have lost numbers or precedence and who is, or shall have been, junior to such other officer for the purpose of eligibility for promotion or selection for promotion since the date of the latter's first appointment to permanent commissioned rank in the Regular Navy above the grade of commissioned warrant officer, following which he shall have served continuously on the active list of the Regular Navy.

60 Stat. 1057.  
34 U. S. C. § 1020  
et seq.  
Ante, pp. 99, 100;  
post, p. 880.

"Active-duty pay."  
Post, pp. 808, 810.

(e) The words "active-duty pay" as used in sections 112 and 113 of this title shall be construed to mean the base and longevity pay the retired officer concerned would receive if serving on active duty in his grade.

### DISTRIBUTION OF OFFICERS

SEC. 103. (a) The total number of officers on the active list at any one time, exclusive of officers carried by law as additional numbers in grade and of fleet admirals, shall be distributed in the proportion of seventy-five one-hundredths of one in the grade of rear admiral, to six in the grade of captain, to twelve in the grade of commander, to eighteen in the grade of lieutenant commander, to twenty-four and seventy-five one-hundredths in the grade of lieutenant, to thirty-eight and fifty one-hundredths in the combined grades of lieutenant (junior

grade) and ensign: *Provided*, That of the number of officers so authorized in each grade below captain, not to exceed the following percentages may be officers designated for limited duty: In the grade of commander three and sixty-four one-hundredths; in the grade of lieutenant commander eight and sixty-two one-hundredths; in the grade of lieutenant seven and seventy-two one-hundredths; and in the combined grades of lieutenant (junior grade) and ensign, six and four one-hundredths: *And provided further*, That, except in time of war or national emergency declared after the effective date of this Act, the number of rear admirals not restricted in the performance of duty shall not exceed one hundred and fifty.

Limited duty in grades below captain.

Rear admirals not restricted in duty.

Engineering and special duty. Rear admirals.

(b) The total number of rear admirals designated for engineering duty, aeronautical engineering duty, and special duty shall not exceed at any one time a number equal to 13 per centum of the authorized number of officers, not restricted in the performance of duty, of the grade of read admiral at that time: *Provided*, That, except in time of war or national emergency declared after the effective date of this Act, the number of such rear admirals shall not exceed nineteen.

Combined grades of captain, commander, and lieutenant commander.

(c) The total number of officers designated for engineering duty, in the combined grades of captain, commander, and lieutenant commander, shall not exceed at any one time a number equal to 9 per centum of the total number of officers, not restricted in the performance of duty, authorized in those grades at that time.

(d) The total number of officers designated for aeronautical engineering duty, in the combined grades of captain, commander, and lieutenant commander, shall not exceed at any one time a number equal to 5 per centum of the total number of officers, not restricted in the performance of duty, authorized in those grades at that time.

(e) The total number of officers designated for special duty, in the combined grades of captain, commander, and lieutenant commander, shall not exceed at any one time a number equal to 5 per centum of the total number of officers, not restricted in the performance of duty, authorized in those grades at that time.

Computations to determine authorized number.

(f) To determine the authorized number of officers in each of the various grades above lieutenant (junior grade), and in the combined grades of lieutenant (junior grade) and ensign, as provided in this section, computations shall be made by the Secretary of the Navy as of the date of approval of this Act and thereafter as of January 1 of each year, and the resulting number in each of such various grades, and in the combined grades of lieutenant (junior grade) and ensign, as so computed, shall be held and considered for all purposes as the authorized number of officers in each of such various grades and in the combined grades of lieutenant (junior grade) and ensign, and shall not be varied between such computations: *Provided*, That should it be found at the time of making any such computation that the authorized number which would result in the grade of captain could not be attained because of the minimum total commissioned service requirement prescribed by subsection 107 (c) of this title, the Secretary of the Navy shall determine such lesser number as may be appropriate and such lesser number shall be regarded as the authorized number, and the authorized number in any lower grade or grades shall be increased accordingly as may be determined by the Secretary of the Navy: *Provided further*, That to determine the authorized number of officers designated for limited duty in each of the various grades above lieutenant (junior grade) and in the combined grades of lieutenant (junior grade) and ensign, the Secretary of the Navy, as of the date of the approval of this Act and thereafter as of January 1 of each year, shall compute the maximum number of such officers who may serve in each of such various grades, and in the combined grades

Determination of lesser number.

Post, p. 801.

Determination of number for limited duty.

of lieutenant (junior grade) and ensign, as provided in subsection (a) of this section, and shall determine the number of such officers in each of such various grades, and in the combined grades of lieutenant (junior grade) and ensign, not to exceed such maximum number, required to meet the needs of the service during the ensuing year, and the resulting number of each of such various grades, and in the combined grades of lieutenant (junior grade) and ensign, as so determined, shall be held and considered for all purposes as the authorized number of such officers in each of such various grades, and in the combined grades of lieutenant (junior grade) and ensign, and shall not be varied between such determinations: *Provided further*, That no officer shall be reduced in grade or pay or separated from the active list of the Navy as a result of any such computation or determination: *And provided further*, That notwithstanding the provisions of this subsection relating to the authorized number of officers in grade, in order to make adjustment for the number of officers originally appointed each year in any grade pursuant to titles I through IV of this Act or to other provisions of law, the authorized number of officers in each grade concerned may be temporarily exceeded by such number of original appointments in such grade until the next succeeding annual computation authorized by this subsection shall be made.

(g) Whenever a final fraction occurs in any computation made pursuant to this title, the nearest whole number shall be taken, and if such fraction be one-half the next higher whole number shall be taken.

Reduction in grade,  
etc.

Adjustment.

Final fraction.

#### PROMOTION BY SELECTION; RETENTION OF REAR ADMIRALS

34 U. S. C. § 345.

SEC. 104. (a) Subject to the provisions of section 1508 of the Revised Statutes, all promotions to grades above that of lieutenant (junior grade), including the promotion of those officers who are, or may be, carried on the Navy list as additional numbers in grade, shall be only upon the recommendation of a board of naval officers as herein prescribed.

(b) Rear admirals, not restricted in the performance of duty, who complete four years of service in that grade and thirty-four years of total commissioned service shall, subject to the provisions of subsection 107 (a) of this title, be continued on the active list only upon the recommendation of a board of naval officers as prescribed by titles I through IV of this Act.

#### SELECTION BOARDS

Rear admirals and  
captains.

Commanders.

Lieutenant com-  
manders and lieutenants.

Officers designated  
for engineering or special duty.

SEC. 105. (a) A board for the recommendation of rear admirals for continuation on the active list shall consist of five rear admirals, or officers of higher rank, senior to any officer under consideration. Boards for the recommendation of officers for promotion to the grades of rear admiral and captain, and for the recommendation of captains for continuation on the active list, shall consist of nine rear admirals; a board for the recommendation of officers for promotion to the grade of commander shall consist of three rear admirals and six captains; and boards for the recommendation of officers for promotion to the grades of lieutenant commander and lieutenant shall consist of nine officers above the grade of commander. Whenever officers designated for engineering duty, aeronautical engineering duty, or special duty are eligible for consideration by a selection board for promotion or for continuation on the active list, the Secretary of the Navy shall appoint, as alternate members of the appropriate selection board, three officers of the same designation and classification as any such eligible officer, and if there be not three available he shall so appoint such lesser number as shall be available, and the junior members who are not restricted in the performance of duty, in like numbers, shall not

act upon the cases of officers designated for engineering duty, aeronautical engineering duty, or special duty. No such alternate member shall act upon the cases of officers other than those of the same designation as himself. No officer designated for engineering duty, aeronautical engineering duty, or special duty shall act upon the cases of officers not restricted in the performance of duty.

Restrictions.

(b) The officers composing these boards shall be officers on the active list of the Navy. No officer may be a member of two successive selection boards for the consideration of officers for promotion to the same grade, or for the consideration of officers for continuation on the active list in the same grade.

(c) These boards shall be appointed by the Secretary of the Navy and convened at least once each year and at such times as the Secretary of the Navy may direct.

Appointment, etc.

#### OATH FOR MEMBERS OF SELECTION BOARDS

SEC. 106. Each member of a board provided for in section 105 of this title shall swear or affirm, that he will, without prejudice or partiality, and having in view both the special fitness of officers and the efficiency of the naval service, perform the duties imposed upon him as herein provided.

#### ELIGIBILITY OF OFFICERS FOR CONSIDERATION BY SELECTION BOARDS

SEC. 107. (a) Rear admirals, not restricted in the performance of duty, who, at any time during the fiscal year in which this title becomes effective or at any time during any subsequent fiscal year, first attain the status of having completed four years of service in grade and thirty-four years of total commissioned service shall become eligible for consideration by a selection board convened in such fiscal year for recommendation for continuation on the active list: *Provided*, That such a rear admiral who at any time shall have lost numbers or precedence shall become eligible for such consideration in the fiscal year in which the most senior rear admiral junior to him who shall not have lost numbers or precedence becomes eligible therefor: *Provided further*, That such eligibility shall continue until the officer concerned shall have been selected for continuation on the active list or until he shall have twice failed of such selection, whichever shall occur earlier: *Provided further*, That a rear admiral who shall have been selected for continuation on the active list pursuant to title III of this Act shall not be considered for selection for continuation pursuant to this subsection.

Rear admirals.

Post, p. 829.

(b) Captains designated for engineering duty, aeronautical engineering duty, or special duty, within the following categories shall be eligible for consideration by a selection board for recommendation for continuation on the active list: (1) Those who have twice failed of selection for promotion to rear admiral, and (2) those who have failed of selection for promotion to rear admiral in the immediately preceding year and who are not recommended for promotion by the selection board concerned: *Provided*, That such captains who will complete thirty-five years' total commissioned service or who will attain the age of sixty-two years in the fiscal year in which such board is convened will not be eligible for consideration for continuation on the active list.

Captains designated for engineering or special duty.

(c) Officers shall be eligible for consideration by a selection board for promotion to the next higher grade when they will have completed, on June 30 of the fiscal year of the convening of the appropriate board, the following periods of service in the grades in which they are serving: Captains, three years; commanders, five years; lieutenant commanders and lieutenants, four years; lieutenants (junior grade), two

Promotion to next higher grade, etc.

*Ante*, p. 798.

Officers designated  
for limited duty.

years: *Provided*, That no officer of the grade of commander shall be eligible for consideration by a selection board for promotion to captain who, on June 30 of the fiscal year of the convening of the board, will have completed less than eighteen years commissioned service as defined in subsection 102 (d) of this title, nor shall any such officer be so eligible until all officers senior to him in his grade are likewise eligible. An officer in any grade who shall become eligible for such consideration shall, regardless of failure or failures of selection for such promotion, remain so eligible while on the active list: *Provided*, That officers whose names are on the promotion list for any grade on the date of the convening of the board shall not be considered for the same grade by the board.

(d) Of the officers, in any grade, designated for limited duty, who would otherwise be eligible for consideration for promotion pursuant to the provisions of subsection (c) of this section, only the junior officer in the promotion zone and officers senior to him in the grade concerned shall be eligible for such consideration.

#### INFORMATION TO BE FURNISHED SELECTION BOARDS

SEC. 108. (a) The Secretary of the Navy shall furnish the appropriate selection board with (1) the number of officers not restricted in the performance of duty, the number of officers designated for engineering duty, the number of officers designated for aeronautical engineering duty, the number of officers designated for special duty, and the number of officers designated for limited duty, which the board may recommend for promotion to the next higher grade; (2) the names of all officers eligible for consideration for promotion to each grade or grades to which the board will recommend officers for promotion; (3) the number of rear admirals not restricted in the performance of duty which the board may recommend for continuation on the active list; (4) the names of all rear admirals eligible for consideration for continuation on the active list; (5) the number of captains designated for engineering duty, the number of captains designated for aeronautical engineering duty, and the number of captains designated for special duty, which the board may recommend for continuation on the active list; (6) the names of captains eligible for consideration for continuation on the active list; (7) the records of all officers whose names are furnished to a board; and (8) the names of officers in the respective promotion zones in the grade or grades under consideration for promotion.

Number in respect  
to promotion.  
Officers not re-  
stricted in duty.

(b) The number to be furnished the board in respect to the promotion of officers not restricted in the performance of duty shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be equal to the number of vacancies existing among such officers in each grade for promotion to which the board will recommend such officers plus the estimated number of such vacancies which will occur during the ensuing twelve-month period and minus the number of such officers then on the promotion list.

Officers designated  
for limited duty.

(c) The number to be furnished the board in respect to the promotion of officers designated for limited duty shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be equal to the number of vacancies existing among such officers in each grade for promotion to which the board will recommend such officers plus the estimated number of such vacancies which will occur during the ensuing twelve-month period and minus the number of such officers then on the promotion list.

(d) The numbers to be furnished the board in respect to the promotion of officers designated for engineering duty, aeronautical engineering duty, or special duty to the grade of rear admiral shall be determined by the Secretary of the Navy as of the date of the convening of the board. Their total shall be equal to the number of vacancies existing among such officers in the grade of rear admiral plus the estimated number of such vacancies which will occur during the ensuing twelve-month period and minus the number of such officers then on the promotion list. Within and to such total the Secretary of the Navy shall allocate such numbers to any or all of the named categories as he shall determine to be necessary to meet the requirements of the Navy.

Officers designated  
for engineering or  
special duty.

(e) The number to be furnished the board in respect to the promotion of officers designated for engineering duty from a grade below captain shall be determined by the Secretary of the Navy as of the date of the convening of the board as necessary to meet the needs of the service. Such number shall not exceed the number of such officers in the promotion zone in the grade concerned, nor be less than the product of that number and a fraction which for each such grade shall have as its numerator a number equal to the number of line officers in the same grade, not restricted in the performance of duty, which may be recommended for promotion to the next higher grade in the same fiscal year, and as its denominator a number equal to the number of line officers, not restricted in the performance of duty, in the promotion zone of the grade concerned in such year.

Officers designated  
for engineering duty.

(f) The number to be furnished the board in respect to the promotion of officers designated for aeronautical engineering duty from a grade below captain shall be determined by the Secretary of the Navy as of the date of the convening of the board as necessary to meet the needs of the service. Such number shall not exceed the number of such officers in the promotion zone in the grade concerned, nor be less than the product of that number and a fraction which for each such grade shall have as its numerator a number equal to the number of line officers in the same grade, not restricted in the performance of duty, which may be recommended for promotion to the next higher grade in the same fiscal year, and as its denominator a number equal to the number of line officers, not restricted in the performance of duty, in the promotion zone of the grade concerned in such year.

Officers designated  
for aeronautical engi-  
neering duty.

(g) The number to be furnished the board in respect to the promotion of officers designated for special duty from a grade below captain shall be determined by the Secretary of the Navy as of the date of the convening of the board as necessary to meet the needs of the service. Such number shall not exceed the number of such officers in the promotion zone in the grade concerned, nor be less than the product of that number and a fraction which for each such grade shall have as its numerator a number equal to the number of line officers in the same grade, not restricted in the performance of duty, which may be recommended for promotion to the next higher grade in the same fiscal year, and as its denominator a number equal to the number of line officers, not restricted in the performance of duty, in the promotion zone of the grade concerned in such year.

Officers designated  
for special duty.

(h) The number to be furnished the board in respect to rear admirals not restricted in the performance of duty to be continued on the active list shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be computed by dividing the authorized number of such rear admirals by three and subtracting from the quotient thus obtained the number of such rear admirals,

Continuation on  
active list.  
Rear admirals not  
restricted in duty.



exclusive of those who have once failed of selection for such continuation, who shall have completed prior to the end of the preceding fiscal year four years of service in that grade and thirty-four years of total commissioned service, which it is estimated will remain on the active list at the end of the current fiscal year: *Provided*, That the number to be so furnished shall not be less than 50 per centum of the number of such rear admirals, exclusive of those who have once failed of selection for such continuation, eligible for consideration by the board for continuation on the active list.

Captains designated  
for engineering duty,  
etc.

*Post*, p. 808.

Promotion zones.  
Officers not restrict-  
ed in duty.

(i) The number to be furnished the board in respect to captains designated for engineering duty, aeronautical engineering duty, or special duty to be continued on the active list shall be such a number in each case not to exceed in each instance the number prescribed in subsection 112 (a) of this title, as the Secretary of the Navy shall determine to be necessary to meet the requirements of the Navy.

(j) The promotion zone in any grade for officers not restricted in the performance of duty shall be established by the Secretary of the Navy as of the date of the convening of a selection board to consider officers of that grade for recommendation for promotion to the next higher grade. It shall consist of that number of the most senior such officers of the grade under consideration, who are eligible for selection for promotion to the next higher grade and have not previously failed of such selection, which must be either selected for promotion by the particular board or be considered as having failed of such selection, in order to maintain a flow of promotion consistent with the terms of service set out in subsection (m) of this section and to best assure to individuals in succeeding years equality of opportunity for promotion. The number shall be determined by the Secretary of the Navy and shall be based upon a consideration of the estimated number of vacancies which will occur in the next higher grade for each of the ensuing five years, the number of such officers who will be eligible for selection, and the terms of service which they will have completed.

Officers below grade  
of captain designated  
for engineering duty,  
etc.

(k) The promotion zones in any grade, below that of captain, for officers designated for engineering duty, for officers designated for aeronautical engineering duty, and for officers designated for special duty, shall each be composed of all officers of each such designation in the grade who have not previously failed of selection to the next higher grade and who are senior to the junior officer in the promotion zone determined as provided in subsection (j) of this section.

Officers designated  
for limited duty.

(l) The promotion zone in any grade for officers designated for limited duty shall be established by the Secretary of the Navy as of the date of the convening of a selection board to consider officers of that grade for recommendation for promotion to the next higher grade. It shall consist of that number of the most senior such officers of the grade under consideration, who are eligible for selection for promotion to the next higher grade and have not previously failed of such selection, which must be either selected for promotion by the particular board or be considered as having failed of such selection, in order to maintain a flow of promotion consistent with the terms of service set out in subsection (n) of this section and to best assure to individuals in succeeding years equality of opportunity for promotion. The number shall be determined by the Secretary of the Navy and shall be based upon a consideration of the estimated number of vacancies which will occur in the next higher grade for each of the ensuing five years, the number of such officers who will be eligible for selection, and the terms of service which they will have completed.

Normal terms of  
service.

(m) The normal terms of service of officers, other than officers designated for limited duty, in the various grades below rear admiral shall be:

Grade	Service in grade	Total commissioned service
Captains.....	5 years	30 years
Commanders.....	7 years	25 years
Lieutenant commanders.....	6 years	18 years
Lieutenants.....	6 years	12 years
Lieutenants (junior grade).....	3 years	6 years

(n) The normal terms of service in grade of officers designated for limited duty in the various grades below that of commander shall be the same as those set out in subsection (m) of this section.

(o) Any officer eligible for consideration by a selection board shall have the right to forward through official channels at any time not later than ten days after the convening of said board a written communication inviting attention to any matter of record in the Navy Department concerning himself which he deems important in the consideration of his case: *Provided*, That such communication shall not contain any reflection upon the character, conduct, or motives of or criticism of any officer.

Right of officer to forward communication concerning himself.

#### DUTIES OF SELECTION BOARDS

SEC. 109. (a) From among those officers who are eligible for consideration for promotion, each board shall recommend for promotion those officers whom it considers best fitted for promotion, in number not exceeding the number furnished the board by the Secretary of the Navy as provided in section 108 of this title: *Provided*, That, from among eligible officers junior in lineal rank to the junior officer in the appropriate promotion zone in a grade below that of captain, the board may not recommend, as best fitted for promotion, a number exceeding 5 per centum of the total number that the board is authorized to recommend for promotion to the grade concerned or, if such 5 per centum shall not equal the whole number one, a number exceeding one: *Provided further*, That in each grade the junior officer in a promotion zone and all officers of his category senior to him in lineal rank who are eligible for consideration shall, if not selected for promotion, be considered as having failed of selection for promotion, and no such officer junior in lineal rank to said junior officer in said promotion zone shall, if not selected for promotion, be considered as having failed of selection for promotion: *Provided further*, That any captain designated for the performance of engineering duty, aeronautical engineering duty, or special duty, shall, if not on the promotion list for the grade of rear admiral on June 30 of the fiscal year in which he completes thirty years of total commissioned service, be held for all purposes to have once failed of selection for promotion, and if not on such list on June 30 of the succeeding year shall, subject to the provisions of subsection 111 (c) of this title, be held for all purposes to have twice failed of selection for promotion, and no such officer shall be held to have failed of selection for promotion solely by reason of the approved recommendation for promotion of any officer junior to him: *Provided further*, That an officer who has lost numbers or precedence shall not be held to have completed the service prescribed in the preceding proviso until he completes five years of service in the grade of captain: *And provided further*, That the status of having once failed of selection for promotion shall not be considered as prejudicial to an officer with respect to his qualifications, his fitness for the naval service, or his eligibility for selection by the next succeeding selection board.

Recommendations for promotion.

(b) From among those rear admirals not restricted in the performance of duty who are eligible for consideration for continuation on the active list, the board shall recommend for such continuation those officers whom it considers best fitted for continued service on the active list, in number equal to the number furnished the board by the Secretary of the Navy as provided in section 108 of this title.

Continuation on active list.  
Rear admirals not restricted in duty.

Captains designated  
for engineering duty,  
etc.

(c) From among those captains designated for engineering duty, aeronautical engineering duty, or special duty, who are eligible for consideration for continuation on the active list, the board shall recommend for such continuation those officers, of each such category, whom it considers best fitted for continued service on the active list, in number not exceeding the number furnished the board by the Secretary of the Navy, with respect to that category, as provided in section 108 of this title.

(d) The recommendation of the board in respect to the promotion of officers who are now or may hereafter be designated for engineering duty, aeronautical engineering duty, special duty, or limited duty, shall be based upon their comparative fitness, within such categories, for the duties prescribed for them by law.

Reports, etc., of  
board.

(e) All reports or recommendations of a selection board under any provision of this title shall require the concurrence of at least two-thirds of the acting members: *Provided*, That the report or recommendation of a board composed of five acting members shall require the concurrence of at least a majority of the acting members.

(f) The selection board shall also report the names of any officers among those eligible for consideration and of less than twenty years' service whose reports and records in its opinion indicate their unsatisfactory performance of duty in their present grades and in its opinion indicate that they would not satisfactorily perform the duties of a higher grade.

#### REPORTS OF SELECTION BOARDS

SEC. 110. (a) The report of the board shall be in writing, signed by all of the acting members thereof, and shall certify that the board has carefully considered the case of every officer whose name was furnished to the board by the Secretary of the Navy, as provided in section 108 of this title, and that, in the opinion of at least two-thirds of the acting members, the officers therein recommended are selected as the best fitted to assume the duties of the next higher grade subject to the limitations prescribed in subsection 109 (a) of this title, except that the recommendation of the board in the cases of officers who are now or may hereafter be designated for engineering duty, aeronautical engineering duty, special duty, or limited duty, shall be based upon their comparative fitness as prescribed in section 109 of this title. The report of a board convened to recommend rear admirals or captains for continuation on the active list shall certify that, in the opinion of at least two-thirds of the acting members, and, if the board has but five acting members, in the opinion of at least a majority of the acting members, the officers therein recommended are selected as the best fitted for continued service on the active list.

Submission to Pres-  
ident.

(b) The report of the board shall be submitted to the President for approval or disapproval: *Provided*, That in case any officer or officers recommended by the board for promotion, or, in the case of rear admirals or captains, for continuation on the active list, be not acceptable to the President, the board shall be informed of the name of such officer or officers and shall recommend a number of officers for promotion or for continuation on the active list, as the case may be, equal to the number of those found not acceptable to the President and, if necessary, the board shall be reconvened for this purpose.

#### PROMOTION OF OFFICERS

Promotion list.

SEC. 111. (a) Officers recommended for promotion in the approved report of a selection board shall be regarded as having been selected for promotion and their names shall be placed upon a promotion list

for the grade for which recommended in the order of their seniority at the time of approval of such report except that the names of officers recommended in an earlier approved report shall be placed upon the promotion list ahead of those recommended for promotion to the same grade in a later approved report. Promotions to fill vacancies in any grade among officers not restricted in the performance of duty or officers designated for the performance of limited duty and to fill vacancies in the grade of rear admiral among officers restricted in the performance of duty shall be made from among officers of the appropriate category whose names appear on the promotion list for the grade concerned and in the order of placement on the said promotion list. Each commander, lieutenant commander, and lieutenant (junior grade) restricted in the performance of duty whose name appears on a promotion list shall be eligible for promotion to the next higher grade when the officer not restricted in the performance of duty whose name appears next below his on the promotion list becomes eligible for promotion and, for the purposes of this section, such date of eligibility for promotion shall be regarded as the date of vacancy in the higher grade. Each lieutenant restricted in the performance of duty whose name appears on a promotion list shall be eligible for promotion to the grade of lieutenant commander when the officer not restricted in the performance of duty whose name appears next below his on the promotion list becomes eligible for promotion or when a vacancy exists in the combined grades of captain, commander, and lieutenant commander among officers restricted in the performance of duty, whichever may be the later, and for the purposes of this section, such date of eligibility for promotion shall be regarded as the date of vacancy in the higher grade.

(b) The commission of each officer promoted to a higher grade shall bear such date of rank and precedence number which, upon his promotion, will assure him precedence in accordance with the order in which his name appeared on the promotion list; no increased pay or allowances shall accrue to any officer prior to the date of the occurrence of the vacancy which he is promoted to fill.

Commission of officer promoted to higher grade, etc.

(c) The President may remove the name of any officer from the promotion list. An officer whose name is so removed from the promotion list, or one whose appointment is rejected by the Senate, shall continue to be eligible for consideration for recommendation for promotion: *Provided*, That the next ensuing selection board may recommend the officer concerned for promotion, and thereupon, with the approval of the President, the name of such officer shall be replaced on the promotion list, without prejudice by reason of its having been temporarily removed therefrom, and when promoted such officer shall take the same lineal rank and date of rank that he would have had had his name not been so removed: *And provided further*, That if such officer is not so recommended by such next ensuing selection board or if the President shall again remove his name from the promotion list or if the Senate shall again reject his appointment, he shall be held for all purposes to have twice failed of selection for promotion.

Removal from promotion list.

Replacement.

(d) No officer shall be promoted to a grade above lieutenant unless he has had not less than two years' sea or foreign service in the grade in which serving and on the promotion list for that grade: *Provided*, That the qualification of sea or foreign service shall not apply to officers restricted by law to the performance of engineering duty only, aeronautical engineering duty only, or special duty only: *And provided further*, That the Secretary of the Navy shall determine the types of duty which may be counted for the purpose of this subsection.

Sea or foreign service.

## RETIREMENT OF OFFICERS BELOW THE GRADE OF REAR ADMIRAL

Captains.

SEC. 112. (a) Captains whose names, on June 30 of the fiscal year in which they complete thirty-one years of total commissioned service, are not on a promotion list, shall, subject to the provisions of subsection 111 (c) of this title, if not otherwise retired pursuant to law, be placed on the retired list on that date: *Provided*, That such an officer who has lost numbers or precedence shall not be placed on the retired list by reason of completion of thirty-one years of total commissioned service until June 30 of the fiscal year in which he completes five years of service in the grade of captain: *Provided further*, That captains not restricted in the performance of duty whose names, on June 30 of the fiscal year in which they complete thirty years of total commissioned service, are not on a promotion list, shall, subject to the provisions of subsection 111 (c), if not otherwise retired pursuant to law, and if they shall have twice failed of selection for promotion to rear admiral, be placed on the retired list on that date: *Provided further*, That not to exceed ten captains designated for engineering duty, and not to exceed five captains designated for aeronautical engineering duty, and not to exceed ten captains designated for special duty, recommended for continuation on the active list in the report of a selection board as approved by the President, may be so continued until the report of the next succeeding selection board is approved, but no such captain shall be continued on the active list beyond June 30 of the fiscal year in which he shall have completed thirty-five years of total commissioned service: *And provided further*, That a captain so continued on the active list shall, if not again recommended for continuation on the active list in the approved report of the next succeeding selection board, thereafter be carried in excess of the number authorized to be so continued and shall be placed on the retired list on June 30 of the then current fiscal year.

Continuation on active list.

Commanders.

(b) Commanders, except commanders designated for limited duty, whose names, on June 30 of the fiscal year in which they complete twenty-six years of total commissioned service, are not on a promotion list, shall, subject to the provisions of section 111 (c) of this title, if not otherwise retired pursuant to law and if they shall have twice failed of selection for promotion to captain, be placed on the retired list on that date. Commanders, except commanders designated for limited duty, who shall twice fail of selection for promotion to captain, if such second failure shall occur subsequent to June 30 of the fiscal year in which they complete twenty-six years of total commissioned service, shall, if not otherwise retired pursuant to law, be placed on the retired list on June 30 of the fiscal year in which such second failure shall occur.

Officers designated for limited duty.

(c) Officers designated for limited duty shall, if not otherwise retired pursuant to law, be placed on the retired list on the last day of the month following the month in which they complete thirty years of active naval service exclusive of active duty for training in a Reserve component.

Lieutenant commanders.

(d) Lieutenant commanders, except lieutenant commanders designated for limited duty, whose names, on June 30 of the fiscal year in which they complete twenty years of total commissioned service, are not on a promotion list, shall, subject to the provisions of section 111 (c) of this title, if not otherwise retired pursuant to law and if they shall have twice failed of selection for promotion to commander, be placed on the retired list on that date. Lieutenant commanders, except lieutenant commanders designated for limited duty, who shall twice fail of selection for promotion to commander, if such second failure shall occur subsequent to June 30 of the fiscal year in which they complete twenty years of total commissioned service, shall, if

not otherwise retired pursuant to law, be placed on the retired list on June 30 of the fiscal year in which such second failure shall occur.

(e) Lieutenant commanders designated for limited duty shall, if not otherwise retired pursuant to law, be placed on the retired list on June 30 of the fiscal year in which they shall have twice failed of selection for promotion to commander: *Provided*, That such an officer instead of such separation from the active list shall, if he had the permanent status of warrant officer or commissioned warrant officer when first appointed an officer for the performance of limited duty only, have the option of reverting to the grade and status he would have held had he not been so appointed, and if he had a permanent rating below warrant officer when first so appointed he shall have the option of reverting to the grade and status he would have held had he not been so appointed but had instead been appointed a warrant officer, and in any computation to determine such grade and status all active service as an officer designated for limited duty or as a temporary or Reserve officer shall be included: *And provided further*, That such an officer exercising such option shall, if not otherwise retired pursuant to law, be placed on the retired list in the grade in which then serving, upon the completion of a total of thirty years of active naval service, exclusive of active duty for training in a Reserve component, with retired pay at the rate of 75 per centum of his active-duty pay.

Lieutenant commanders designated for limited duty.

(f) Officers above the grade of lieutenant who are placed on the retired list pursuant to the provisions of this section shall be placed thereon with retired pay at the rate of  $2\frac{1}{2}$  per centum of their active-duty pay at the time of retirement multiplied by the number of years of service for which entitled to credit in the computation of their pay on the active list, not to exceed a total of 75 per centum of said active-duty pay: *Provided*, That a fractional year of six months or more shall be considered a full year in computing the number of years of service by which the rate of  $2\frac{1}{2}$  per centum is multiplied: *Provided further*, That the retired pay of an officer commissioned in the Regular Navy pursuant to the provisions of the Act approved April 18, 1946 (Public Law 347, Seventy-ninth Congress), or one commissioned in the Regular Navy subsequent to September 8, 1939, while serving on active duty as an officer of the Naval Reserve, who is so placed on the retired list, shall not be less than 50 per centum of his active-duty pay at the time of retirement.

Retired pay for officers in grades above lieutenant.

Fractional year.

60 Stat. 92.  
34 U. S. C. § 2 et seq.  
*Ante*, p. 738; *post*,  
pp. 867, 877.

(g) Lieutenants, and lieutenants (junior grade), who shall have twice failed of selection for promotion to lieutenant commander and lieutenant, respectively, and officers whose names are reported in accordance with subsection 109 (f) of this Act, shall be honorably discharged from the Navy on June 30 of the fiscal year in which they fail of such selection the second time, or in which their names are reported in accordance with subsection 109 (f) of this Act, with a lump-sum payment computed on the basis of two months' active-duty pay at the time of discharge for each year of commissioned service computed in accordance with subsection 102 (d), but not to exceed a total of two years' active-duty pay: *Provided*, That for the purpose of this subsection a fractional year of six months or more shall be considered a full year in computing the number of years' commissioned service upon which to base such lump-sum payment: *And provided further*, That an officer designated for limited duty, instead of such separation from the active list, shall have the option described in subsection (e) of this section.

Lieutenants.

*Ante*, p. 806.

*Ante*, p. 798.

Fractional year.

(h) Officers on a promotion list who, at any time prior to promotion, are found incapacitated for service by reason of physical disability contracted in line of duty shall, when retired, be retired in the grade for which they were selected, with retired pay at the rate

Physical disability.

Applicability of designated provisions to officers above grade of ensign.

of 75 per centum of the active-duty pay of the rank to which selected.

(i) The provisions of this title relating to the discharge or retirement of officers who have twice failed of selection for promotion shall be applicable to officers above the grade of ensign who fail on professional reexamination for promotion in the same manner as if such officers had twice failed of selection for promotion.

(j) Nothing in this section shall be held to reduce the retired rank or pay to which an officer would be entitled under other provisions of law.

#### RETIREMENT OF OFFICERS ABOVE THE GRADE OF CAPTAIN

Rear admirals.  
Retired pay.

SEC. 113. (a) Rear admirals who, having been considered by two successive selection boards for recommendation for continuation on the active list, are not so recommended in the approval report of such a board shall, if not otherwise retired pursuant to law, be placed upon the retired list on June 30 of the then current fiscal year with retired pay at the rate of  $2\frac{1}{2}$  per centum of their active-duty pay in the grade in which serving at the time of retirement multiplied by the number of years of service for which they would be entitled to credit in the computation of pay on the active list had they been serving in the grade of captain at the time of their retirement, but retired pay so computed shall not exceed a total of 75 per centum of said active-duty pay.

*Ante*, p. 803.

(b) Should it be found, as of the time of the convening of a board for the consideration of rear admirals who are not restricted in the performance of duty for continuation on the active list, that the number to be furnished the board as determined pursuant to the provisions of subsection 108 (h) would, except for the proviso to said subsection, be less than 50 per centum of the number of such rear admirals, excluding those who have once failed of selection for continuation on the active list, eligible for such consideration, the Secretary of the Navy shall convene a board of not less than five officers, not restricted in the performance of duty and serving in ranks above that of rear admiral, to consider such rear admirals, excluding those who have once failed of selection for continuation on the active list, who completed four years of service in that grade and thirty-four years of total commissioned service prior to July 1 of the then current fiscal year, and recommend for retirement a sufficient number so that the number to be furnished the board as so determined shall equal said 50 per centum.

(c) Should it be found, as of the time of the convening of a board for the consideration of captains who are not restricted in the performance of duty for promotion to the grade of rear admiral, that the number of vacancies existing plus the estimated number of vacancies which will occur during the ensuing twelve-month period in the grade of rear admiral is less than will permit the selection for promotion of a number of captains equal to 10 per centum of the authorized number of rear admirals, not restricted in the performance of duty, the Secretary of the Navy shall convene a board of not less than five officers, not restricted in the performance of duty and serving in ranks above that of rear admiral, to consider and recommend for retirement a sufficient number of such rear admirals to permit the selection for promotion of the said number of such captains.

(d) Should it be found, as of the time of the convening of a board for the consideration of captains designated for engineering duty, aeronautical engineering duty, or special duty for promotion to the grade of rear admiral, that the number of vacancies existing plus the estimated number of vacancies which will occur during the ensuing twelve-month period in the grade of rear admiral is less than will permit the selection for promotion of a number of such captains

equal to 15 per centum of the authorized number of rear admirals designated for engineering duty, aeronautical engineering duty, or special duty, the Secretary of the Navy shall convene a board of not less than five officers, serving in ranks above that of rear admiral, to consider and recommend for retirement a sufficient number of such rear admirals to permit the selection for promotion of the said number of such captains.

(e) The report of a board convened pursuant to the provisions of this section shall be submitted to the President for approval or disapproval; if the President shall disapprove the recommendations of the board in whole or in part, the board shall then recommend additional rear admirals for retirement equal to the number disapproved by the President.

Submission of report to President.

(f) Officers so recommended for retirement as approved by the President shall, if not otherwise retired pursuant to law, be placed upon the retired list on June 30 of the then current fiscal year with retired pay at the rate of  $2\frac{1}{2}$  per centum of their active-duty pay in the grade in which serving at the time of retirement multiplied by the number of years of service for which they would be entitled to credit in the computation of pay on the active list had they been serving in the grade of captain at the time of their retirement, but retired pay so computed shall not exceed a total of 75 per centum of said active-duty pay.

Retired pay, etc.

(g) Nothing in this section shall be held to reduce the retired rank or pay to which an officer would be entitled under other provision of law.

#### MARINE CORPS

SEC. 114. (a) Commissioned officers of the Marine Corps shall be authorized in number in the same proportion to authorized enlisted strength and shall be distributed in grades, promoted, retired, and discharged in like manner and with the same relative conditions in all respects as provided for commissioned officers of the line of the Navy, by existing law, or by laws hereafter enacted, except as may be necessary to adapt the said provisions to the Marine Corps, or as herein otherwise provided.

(b) Of the authorized number of commissioned officers above the grade of colonel who are not restricted in the performance of duty, not more than 50 per centum may be major generals and the remainder brigadier generals: *Provided*, That after July 1, 1948, except in time of war or national emergency declared after the effective date of this Act, the number of such officers shall not exceed thirty-two, of which not exceeding twelve may be major generals.

Officers above grade of colonel not restricted in duty.

(c) The number of brigadier generals designated for supply duty, including the officer serving as the head of the Supply Department, shall not exceed at any one time a number equal to 13 per centum of the number of general officers of the Marine Corps not restricted in the performance of duty authorized at that time: *Provided*, That except in time of war or national emergency declared after the effective date of this Act, such number shall not exceed four.

Supply duty. Brigadier generals.

(d) The total number of officers designated for supply duty in the combined grades of colonel, lieutenant colonel, and major shall not exceed at any one time a number equal to 8 per centum of the total number of officers not restricted in the performance of duty authorized in those grades at that time.

Combined grades of colonel, lieutenant colonel, and major.

(e) The requirement of sea or foreign service in grade shall not apply to promotion of officers of the Marine Corps.

Sea or foreign service.

(f) Selection boards shall consist of nine officers of the active list of the Marine Corps, the composition of the boards to be determined

Selection boards.



Recommendations  
for promotion, etc.

*Ante*, p. 801.

Administrative staff  
duty, etc.

Appointment of al-  
ternate members of  
board.

Promotion to major  
general.

*Ante*, p. 807.  
*Post*, p. 879.

Promotion zone in  
grade of brigadier gen-  
eral.

by the Secretary of the Navy: *Provided*, That no officer shall be recommended for promotion or for continuation on the active list unless he shall have received the recommendation of not less than two-thirds of the acting members of the board: *Provided further*, That whenever there are insufficient general officers available to comprise a selection board for the recommendation of officers for promotion to the grades of brigadier general and colonel without placing thereon general officers who served as members of the same corresponding board the preceding year, officers of the active list of the line of the Navy, not restricted in the performance of duty, of the grade of rear admiral may be substituted for general officers of the Marine Corps in order to comply with the provisions of subsection 105 (b) of this title: *Provided further*, That selection boards to recommend brigadier generals for promotion to major general shall be composed of officers of the permanent grade of major general on the active list of the Marine Corps to the extent that such officers are deemed available for this duty by the Secretary of the Navy, and the remainder of the board shall be composed of rear admirals on the active list of the line of the Navy, not restricted in the performance of duty: *And provided further*, That administrative staff duty performed by any officer under appointment or detail, and duty in aviation, or in any technical specialty, shall be given weight by the selection board in determining his fitness for promotion equal to that given to line duty equally well performed.

(g) Whenever officers designated for supply duty are eligible for consideration by a selection board for promotion or for continuation on the active list, the Secretary of the Navy shall appoint, as alternate members of the appropriate selection board, three officers of that designation, and if there be not three available, he shall so appoint such lesser number as may be available, and the junior members of the board who are not restricted in the performance of duty, in like number, shall not act upon the cases of officers designated for supply duty. No such alternate member shall act upon the cases of officers other than those designated for supply duty. No officer designated for supply duty or for limited duty shall act upon the cases of officers not restricted in the performance of duty.

(h) Promotion to major general shall be from brigadier generals who are not restricted in the performance of duty, and such officers shall be eligible for consideration by a selection board for promotion to major general when they will have completed, on June 30 of the fiscal year of the convening of the board, four years' service in that grade. The date of rank of an officer appointed in the grade of major general shall be the date of rank held by such officer in the grade of brigadier general under permanent or temporary appointment: *Provided*, That subject to the provisions of subsection 111 (c) of this title and of subsection 423 (b) of title IV of this Act, such date of rank shall not be earlier than that of the junior officer in the grade of major general: *And provided further*, That such an officer shall be entitled to the pay and allowances of the higher grade from the date of occurrence of the vacancy which he is promoted to fill.

(i) The promotion zone in the grade of brigadier general for officers not restricted in the performance of duty shall be established by the Secretary of the Navy as of the date of the convening of a selection board to consider officers of that grade for recommendation for promotion to the next higher grade. It shall consist of that number of the most senior such officers of the grade of brigadier general, who are eligible for selection for promotion to the next higher grade and have not previously failed of such selection, which must be either selected for promotion by the particular board or be considered as

having failed of such selection, in order to maintain a flow of promotion consistent with the needs of the service and to best assure to individuals in succeeding years equality of opportunity for promotion. The number shall be determined by the Secretary of the Navy and shall be based upon a consideration of the estimated number of vacancies which will occur in the next higher grade for each of the ensuing five years and the number of such officers who will be eligible for selection.

(j) Officers serving in the grade of major general in the Marine Corps and officers serving in the grade of rear admiral in the Navy who are entitled to the pay of the upper half of that grade shall take rank among themselves according to their respective dates of rank in such grades. Officers serving in the grade of brigadier general in the Marine Corps and officers serving in the grade of rear admiral in the Navy who are entitled to the pay of the lower half of that grade shall take rank among themselves according to their respective dates of rank in such grades.

Rank in designated grades.

(k) The provisions of this title relating to the selection of rear admirals for continuation on the active list shall not be applicable to major generals.

Nonapplicability.

(l) Should it be found, as of the time of the convening of a board for the consideration of brigadier generals for promotion to the grade of major general, that the number of vacancies existing plus the estimated number of vacancies which will occur during the ensuing twelve-month period in the grade of major general is less than will permit the selection for promotion of a number of brigadier generals equal to 50 per centum of the number of such officers comprising the promotion zone for that grade, the Secretary of the Navy shall convene a board of not less than five officers serving in ranks above that of major general or rear admiral to consider and recommend for retirement a sufficient number of major generals to permit the selection for promotion of the said number of brigadier generals.

Selection for promotion of brigadier generals.

(m) Should it be found, as of the time of the convening of a board for the consideration of colonels who are not restricted in the performance of duty for promotion to the grade of brigadier general, that the number of vacancies existing plus the estimated number of vacancies which will occur during the ensuing twelve-month period is less than will permit the selection for promotion of a number of such colonels equal to 10 per centum of the authorized number of general officers who are not restricted in the performance of duty, the Secretary of the Navy shall convene a board of not less than five officers serving in ranks above that of major general or rear admiral to consider and recommend for retirement a sufficient number of general officers to permit the selection for promotion of the said number of colonels.

Selection for promotion of colonels.

(n) Brigadier generals, who are not restricted in the performance of duty, whose names are not on the promotion list shall, if not otherwise retired pursuant to law, be placed on the retired list on June 30 of the fiscal year in which they fail of selection for promotion the second time with retired pay at the rate of 2½ per centum of their active-duty pay in the grade in which serving at the time of retirement multiplied by the number of years of service for which they would be entitled to credit in the computation of pay on the active list had they been serving in the grade of colonel at the time of their retirement, but retired pay so computed shall not exceed a total of 75 per centum of said active-duty pay.

Brigadier generals.  
Retired pay.

(o) The provisions of this title relating to officers of the Navy designated for limited duty shall be applicable in like manner and with like effect to officers of the Marine Corps designated for limited duty.

Applicability of designated provisions.

(p) The provisions of this title relating to officers of the Navy designated for engineering duty shall be applicable in like manner and with like effect to officers of the Marine Corps designated for supply duty, except as may be necessary to adapt the said provisions to the Marine Corps or as herein otherwise provided.

Brigadier generals designated for supply duty.

(q) Brigadier generals designated for supply duty, if not retired pursuant to other provisions of law, shall, except as otherwise provided in this section, be placed on the retired list on June 30 of the fiscal year in which they complete five years' service in that grade and thirty-five years' total commissioned service with retired pay at the rate of 2½ per centum of their active-duty pay in the grade in which serving at the time of retirement multiplied by the number of years of service for which they would be entitled to credit in the computation of pay on the active list had they been serving in the grade of colonel at the time of their retirement, but retired pay so computed shall not exceed a total of 75 per centum of said active-duty pay.

Continuation on active list.

(r) Brigadier generals of the Marine Corps designated for supply duty who in the then current fiscal year complete or will complete five years' service in their grade and have completed or will complete in such fiscal year thirty-five years of total commissioned service; those who prior to the then current fiscal year have completed five years' service in their grade and in such fiscal year complete or will complete thirty-five years of total commissioned service; and those who were recommended for continuation on the active list in the approved report of the immediately preceding appropriate selection board, shall be eligible for consideration by a selection board for continuation on the active list: *Provided*, That not to exceed two such brigadier generals recommended for continuation on the active list in the report of a selection board as approved by the President may be so continued until the report of the next succeeding selection board is approved: *And provided further*, That a brigadier general so continued on the active list shall, if not again recommended for continuation on the active list in the approved report of the next succeeding selection board, thereafter be carried in excess of the number authorized to be so continued and shall be placed on the retired list on June 30 of the then current fiscal year.

(s) In addition to the information otherwise required by this title, the Secretary of the Navy shall furnish the appropriate selection board with the number of brigadier generals designated for supply duty which the board may recommend for continuation on the active list. The number so furnished shall be such number as the Secretary of the Navy shall determine to be necessary to meet the requirements of the Marine Corps not to exceed two.

Selection for promotion of colonels.

(t) Should it be found, as of the time of the convening of a board for the consideration of colonels designated for supply duty for promotion to the grade of brigadier general, that the number of vacancies existing plus the estimated number of vacancies which will occur during the ensuing twelve-month period in the grade of brigadier general is less than will permit the selection for promotion in such period of a number of such colonels equal to 15 per centum of the authorized number of brigadier generals designated for supply duty, the Secretary of the Navy shall convene a board of not less than five officers serving in ranks above that of brigadier general to consider and recommend for retirement a sufficient number of brigadier generals designated for supply duty to permit the selection for promotion in such period of the said number of such colonels.

Number to be continued on active list.

(u) The number to be furnished the board in respect to colonels designated for supply duty to be continued on the active list shall be

such number, not to exceed two, as the Secretary of the Navy shall determine to be necessary to meet the requirements of the Marine Corps.

(v) Officers recommended for retirement in the report of a board convened pursuant to subsections (l), (m), and (t) of this section, as approved by the President, shall, if not otherwise retired pursuant to law, be placed on the retired list on June 30 of the then current fiscal year with retired pay at the rate of 2½ per centum of their active-duty pay in the grade in which serving at the time of retirement multiplied by the number of years of service for which they would be entitled to credit in the computation of pay on the active list had they been serving in the grade of colonel at the time of their retirement, but retired pay so computed shall not exceed a total of 75 per centum of said active-duty pay.

*Retired pay.*

(w) From among the officers designated for supply duty who are eligible for consideration for continuation on the active list the board shall recommend for such continuation those officers whom it considers best fitted for continued service on the active list in number equal to the number furnished the board by the Secretary of the Navy.

*Recommendation for continuation on active list.*

(x) Nothing in this section shall be held to reduce the retired rank or pay to which an officer would be entitled under other provisions of law.

*Retired rank, etc.*

(y) The report of a board convened pursuant to the provisions of subsections (l), (m), and (t) of this section shall be submitted to the President for approval or disapproval; if the President shall disapprove the recommendations of the board in whole or in part, the board shall then recommend additional appropriate general officers for retirement equal to the number disapproved by the President.

*Submission of report to President.*

#### DETERMINATION OF UPPER AND LOWER HALF REAR ADMIRALS

SEC. 115. Rear admirals on the active list of the line in the upper half of that grade, exclusive of officers carried as additional numbers in grade, shall be entitled to the pay and allowances prescribed by law for rear admirals of the upper half: *Provided*, That for the purpose of determining the number of rear admirals in the upper half, there shall be excluded those officers carried as additional numbers in that grade, and each rear admiral carried as an additional number in that grade shall be entitled to such pay and allowances from the date on which the officer next junior to him becomes entitled thereto pursuant to this section.

#### EFFECTIVE DATE OF TITLE I

SEC. 116. Sections 101, 102, and, as to distribution, sections 103 and 114 of this title shall be effective upon the date of approval of this Act. The remaining provisions of this title shall be effective upon the termination of title III of this Act.

*Ante*, pp. 798, 811.

*Post*, p. 829.

### TITLE II—PERMANENT PROVISIONS RELATING TO OFFICERS OF THE STAFF CORPS OF THE NAVY

#### PERMANENT STATUS OF TITLE II

SEC. 201. The provisions of this title shall constitute permanent, as distinguished from terminable, provisions of law relating to the distribution of commissioned officers in the various grades of the Staff Corps of the Regular Navy, to the promotion of such officers to the grades above that of lieutenant (junior grade), and to their involuntary separation from the active list.

## DEFINITIONS

- "Officers." SEC. 202. (a) As used in this title, the word "officers" shall be held to mean commissioned officers holding permanent appointments as such on the active list in the Staff Corps of the Regular Navy. Unless otherwise qualified it shall be held to include officers of the Medical, Supply, Chaplain, Civil Engineer, Dental, Medical Service, and Nurse Corps of the Navy, including officers designated for limited duty in such corps, and to exclude commissioned warrant officers.
- Military titles. (b) As used in this title, military titles shall be held to describe an officer or officers, as the case may be, holding permanent appointment on the active list in a Staff Corps of the Regular Navy in the grade concerned.
- "Not restricted in the performance of duty." (c) As used in this title, the words "not restricted in the performance of duty" shall be held to describe officers not designated for limited duty.
- Computation of commissioned service. (d) (1) For the purposes of this title in respect to eligibility for continuation on the active list and in respect to separation from the active list, the total commissioned service of an officer originally appointed in the grade or rank of lieutenant (junior grade) or ensign in the Regular Navy, who has served continuously on the active list shall be computed from June 30 of the fiscal year in which he accepted such appointment, except for officers appointed pursuant to the Act of April 18, 1946 (Public Law 347, Seventy-ninth Congress). Each other officer shall be deemed to have for these purposes as much total commissioned service as any officer described above in this subsection who shall not have lost numbers or precedence and who is, or shall have been, junior to such other officer in his corps for the purpose of eligibility for promotion or selection for promotion since the date of the latter's first appointment to permanent commissioned rank in the Regular Navy above the grade of commissioned warrant officer, following which he shall have served continuously on the active list of the Regular Navy.
- 60 Stat. 92.  
34 U. S. C. § 2 *et seq.*  
*Ante*, p. 738; *post*,  
pp. 867, 877.
- Service to be credited to lieutenant (jg) of Nurse Corps. (2) Notwithstanding the foregoing provisions of this subsection, the number of years' service to be credited to each lieutenant (junior grade) of the Nurse Corps shall, for the purpose of this title in regard to separation from the active list, be based on her total active service under an appointment as a commissioned officer in the Nurse Corps of the Navy or the reserve component thereof and all active service in the Nurse Corps and the Nurse Corps Reserve abolished by the Act of April 16, 1947 (Public Law 36, Eightieth Congress), shall, for this purpose, be regarded as commissioned service in the Navy.
- Ante*, p. 41; *post*, p. 882.
- Officer in Medical Service Corps. (3) Notwithstanding the provisions of paragraph (1) of this subsection, an officer commissioned in the Medical Service Corps pursuant to the Act of April 18, 1946 (Public Law 347, Seventy-ninth Congress) shall, for the purpose of this title in respect to separation from the active list, be deemed to have total commissioned service equivalent to that of his line officer running mate.
- 60 Stat. 92.  
34 U. S. C. § 2 *et seq.*  
*Ante*, p. 738; *post*,  
pp. 867, 877.
- "Active duty pay." (e) The words "active-duty pay" as used in sections 212 and 213 of this title shall be construed to mean the base and longevity pay the retired officer concerned would receive if serving on active duty in his grade.
- Post*, pp. 825, 827.

## DISTRIBUTION OF OFFICERS

- Rear admirals. SEC. 203. (a) Officers of the Staff Corps of the Navy shall be distributed in the various grades in each Staff Corps in accordance with the provisions of this title: *Provided*, That the number of rear admirals in the Medical Corps, Supply Corps, Chaplain Corps, Civil Engineer Corps, and Dental Corps, respectively, exclusive of any such rear admiral serving as a chief of bureau, shall not exceed in each corps

five-tenths of 1 per centum of the officers in that corps on the active list of the Navy at any one time: *Provided further*, That such a rear admiral serving as a chief of bureau shall upon termination of his tenure as chief of bureau be carried in excess until the next vacancy occurs in the grade of rear admiral in the corps concerned: *Provided further*, That notwithstanding the foregoing provisions, except in time of war or national emergency declared after the effective date of this Act, the number of rear admirals in the Medical Corps, Supply Corps, Chaplain Corps, Civil Engineer Corps, and Dental Corps shall not exceed fifteen, thirteen, two, four, and four, respectively: *And provided further*, That the number of captains in the Medical Service Corps and the number of commanders and lieutenant commanders in the Nurse Corps shall not exceed 2 per centum, seven-tenths of 1 per centum, and  $1\frac{5}{16}$  per centum, respectively, of the officers in the corps concerned on the active list of the Navy at any one time.

Captains in Medical Service Corps, etc.

(b) To determine the authorized number of officers in the grade of rear admiral in the Medical Corps, Supply Corps, Chaplain Corps, Civil Engineer Corps, and Dental Corps, respectively, and the authorized number of captains in the Medical Service Corps and the authorized number of commanders and lieutenant commanders in the Nurse Corps, as provided in this section, computations shall be made by the Secretary of the Navy as of the date of approval of this Act and as of January 1 of each year thereafter; the resulting number in the grade of rear admiral in each corps in which such grade is authorized, as so computed, shall be held and considered for all purposes as the authorized number of officers in the grade of rear admiral in each such corps and shall not be varied between computations; the resulting number in the grade of captain in the Medical Service Corps and in each of the grades of commander and lieutenant commander in the Nurse Corps, as so computed, shall be held and considered as the authorized number of officers in the grade of the corps concerned until a subsequent computation shall be made: *Provided*, That no officer shall be reduced in grade or pay or separated from the active list of the Navy as a result of any such computation.

Determination of authorized numbers.

(c) Whenever a final fraction occurs in any computation made pursuant to this title, the nearest whole number shall be taken, and if such fraction be one-half the next higher whole number shall be taken.

Final fraction.

#### PROMOTION BY SELECTION

SEC. 204. All promotions to grades above that of lieutenant (junior grade), including the promotion of those officers who are, or may be, carried on the Navy list as additional numbers in grade, shall be only upon the recommendation of a board of naval officers as herein prescribed.

#### SELECTION BOARDS

SEC. 205. (a) A board for the recommendation of officers for promotion to the grade of rear admiral, and for the recommendation of captains for continuation on the active list, shall consist of not less than three nor more than nine rear admirals of the corps concerned. Boards for the recommendation of officers for promotion to the grades of captain and commander except with respect to officers of the Medical Service Corps and of the Nurse Corps shall consist of not less than six nor more than nine officers of the corps concerned of the grade of captain or above. Boards for the recommendation of officers for promotion to the grades of lieutenant commander and lieutenant, except with respect to officers of the Medical Service Corps and of the Nurse Corps, shall consist of not less than six nor more than nine officers of the corps concerned above the grade of commander.

Rear admirals and captains.

Captains and commanders.

Lieutenant commanders and lieutenants.

- (b) The officers composing these boards shall be officers on the active or retired list of the Navy. In case there be not a sufficient number of officers of the corps concerned legally or physically capacitated to serve on a selection board of such corps, officers of the line on the active list of equivalent rank may be detailed to duty on such board to constitute the required minimum membership.
- (c) Boards for the recommendation of officers of the Medical Service Corps and of the Nurse Corps for promotion to grades above lieutenant (junior grade) shall be composed of not less than six nor more than nine officers above the grade of commander on the active or retired list of the Medical Corps: *Provided*, That in case there be not a sufficient number of officers of the Medical Corps legally or physically capacitated to serve on such a selection board, officers of the line of the active list of the grade of captain may be detailed to duty on such board to constitute the required minimum membership.
- (d) No officer may be a member of two successive selection boards for the consideration of officers for promotion to the same grade.
- (e) The boards prescribed in this section shall be appointed by the Secretary of the Navy and convened at least once each year at a time as soon as practicable after the report of a corresponding board for the selection of line officers has been approved by the President, and at such times as the Secretary of the Navy may direct: *Provided*, That a selection board to recommend officers of the Medical Service Corps for promotion to the grade of captain or officers of the Nurse Corps for promotion to the grade of commander or lieutenant commander shall be convened only if there exists a vacancy in the grade concerned or if the Secretary of the Navy estimates or determines that a vacancy will occur in the ensuing twelve-month period.

#### OATH FOR MEMBERS OF SELECTION BOARDS

SEC. 206. Each member of a board provided for in section 205 of this title shall swear, or affirm, that he will, without prejudice or partiality, and having in view both the special fitness of officers and the efficiency of the naval service, perform the duties imposed upon him as herein provided.

#### ELIGIBILITY OF OFFICERS FOR CONSIDERATION BY SELECTION BOARDS

- SEC. 207. (a) Captains within the following categories shall be eligible for consideration by a selection board for recommendation for continuation on the active list: (1) Those who have twice failed of selection for promotion to rear admiral, and (2) those who have failed of selection for promotion to rear admiral in the immediately preceding year and who are not recommended for promotion by the selection board concerned: *Provided*, That such captains who will complete thirty-five years' total commissioned service or who will attain the age of sixty-two years in the fiscal year in which such board is convened will not be eligible for consideration for continuation on the active list.
- (b) An officer in any grade, except captains in the Medical Service Corps and commanders in the Nurse Corps, shall become eligible for consideration by a selection board for promotion to the next higher grade when his running mate becomes eligible for such selection, except that officers of the Medical, Dental, Medical Service, and Chaplain Corps in the grades of lieutenant (junior grade) and lieutenant, and officers of the Nurse Corps in the grade of lieutenant (junior grade) shall not be eligible for such selection unless they are in the promotion zone in such grade or are senior to the officers in the promotion zone of the grade in which they are serving. An officer in

any grade who shall become eligible for such consideration shall, regardless of failure or failures of selection for such promotion, remain so eligible while on the active list: *Provided*, That officers whose names are on the promotion list for any grade on the date of the convening of the board shall not be considered for the same grade by the board.

(c) Of the officers, in any grade in any corps, designated for limited duty, who would otherwise be eligible for consideration for promotion pursuant to the provisions of subsection (b) of this section, only the officer in that corps whose running mate is the junior officer in the promotion zone for line officers designated for limited duty and officers in that corps senior to him in the grade concerned shall be eligible for such consideration.

#### INFORMATION TO BE FURNISHED SELECTION BOARDS

SEC. 208. (a) The Secretary of the Navy shall furnish the appropriate selection board with (1) the number of officers not restricted in the performance of duty and the number of officers designated for limited duty which the board may recommend for promotion to the next higher grade; (2) the names of all officers eligible for consideration for promotion; (3) the number of captains which the board may recommend for continuation on the active list; (4) the names of captains eligible for consideration for continuation on the active list; (5) the records of all officers whose names are furnished to a board; and (6) the names of officers in the respective promotion zones in the grade or grades under consideration for promotion.

(b) The number to be furnished the board in respect to the promotion of officers not restricted in the performance of duty to the grades of captain and commander, except with respect to the promotion of officers of the Medical Service Corps to the grade of captain and of officers of the Nurse Corps to the grade of commander, shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be a fraction of the number of officers in the promotion zone in the grade and in the corps concerned. The numerator of this fraction shall be a number equal to the number of officers not restricted in the performance of duty placed upon the promotion list pursuant to the report of the comparable board for the selection of line officers convened in the same fiscal year. The denominator of this fraction shall be a number equal to the number of officers, not restricted in the performance of duty, in the promotion zone considered by said board for the selection of line officers.

Number in respect  
to promotion.  
Officers not re-  
stricted in duty.

(c) The number to be furnished the board in respect to the promotion of officers designated for limited duty shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be a fraction of the number of such officers in the promotion zone in the grade and in the corps concerned. The numerator of this fraction shall be a number equal to the number of officers designated for limited duty placed upon the promotion list pursuant to the report of the comparable board for the selection of line officers convened in the same fiscal year. The denominator of this fraction shall be a number equal to the number of officers designated for limited duty in the promotion zone considered by said board for the selection of line officers.

Officers designated  
for limited duty.

(d) The number to be furnished the board in respect to the promotion of officers of the Supply Corps and Civil Engineer Corps not restricted in the performance of duty to the grades of lieutenant commander and lieutenant shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be a fraction of the number of such officers in the promotion zone in the grade and in the corps concerned. The numerator of this fraction shall be a

Officers of Supply  
and Civil Engineer  
Corps.



number equal to the number of officers not restricted in the performance of duty placed upon the promotion list pursuant to the report of the comparable board for the selection of line officers convened in the same fiscal year. The denominator of this fraction shall be a number equal to the number of officers, not restricted in the performance of duty, in the promotion zone considered by said board for the selection of line officers.

Lieutenant commanders and lieutenants.

(e) The number to be furnished the board in respect to the promotion of officers, except officers of the Supply Corps, Civil Engineer Corps, and Nurse Corps to the grade of lieutenant commander and lieutenant shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be equal to the number of such officers in the promotion zones in the grades of lieutenant and lieutenant (junior grade), respectively.

Captains.

(f) The number to be furnished the board in respect to the promotion of captains to the grade of rear admiral shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be equal to the number of vacancies existing in the grade of rear admiral plus the estimated number of such vacancies which will occur during the ensuing twelve-month period and minus the number of captains then on the promotion list.

Post, p. 825.

(g) The number to be furnished the board in respect to captains to be continued on the active list shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be such a number in each case, not to exceed in each instance the number prescribed in subsection 212 (a) of this title, as the Secretary of the Navy shall determine to be necessary to meet the requirements of the Navy.

Promotion zones.

(h) An officer in any grade, not restricted in the performance of duty, who has not failed of selection for promotion to the next higher grade, shall be deemed to be in the promotion zone when his running mate in the same grade has been determined to be in the promotion zone of officers not restricted in the performance of duty in that grade.

(i) An officer in any grade, designated for limited duty, who has not failed of selection for promotion to the next higher grade, shall be deemed to be in the promotion zone when his running mate in the same grade has been determined to be in the promotion zone of officers designated for limited duty.

Officers of Medical Service Corps.

(j) The number to be furnished the board in respect to the promotion of officers of the Medical Service Corps to the grade of captain shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be equal to the difference between the allowed number of officers in that grade and the actual number of officers therein plus the number of officers estimated to be separated from that grade during the ensuing twelve-month period and minus the number of commanders then on the promotion list.

Officers of Nurse Corps.

(k) The number to be furnished the board in respect to the promotion of officers of the Nurse Corps to the grades of commander and lieutenant commander shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall for each grade be equal to the difference between the allowed number of officers in the grade and the actual number of officers therein plus the number of officers estimated to be separated from the grade during the ensuing twelve-month period and minus the number of officers of the next lower grade then on the promotion list.

(l) The number to be furnished the board in respect to the promotion of officers of the Nurse Corps to the grade of lieutenant shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be equal to the number of lieutenants (junior

grade) in that corps in and senior to the promotion zone minus the number of lieutenants (junior grade) then on the promotion list.

(m) Any officer eligible for consideration for selection shall have the right to forward through official channels at any time not later than ten days after the convening of said board a written communication inviting attention to any matter of record in the Navy Department concerning himself which he deems important in the consideration of his case: *Provided*, That such communication shall not contain any reflection upon the character, conduct, or motives of or criticism of any officer.

Right of officer to forward communication concerning himself.

#### DUTIES OF SELECTION BOARDS

SEC. 209. (a) From among those officers who are eligible for consideration for promotion, each board shall recommend for promotion those officers, if of the grade of lieutenant commander or above, or if designated for limited duty in grades above ensign, whom it considers best fitted for promotion, and, if of the grade of lieutenant or lieutenant (junior grade), in the Supply and Civil Engineer Corps or if of the grade of lieutenant in the Nurse Corps those whom it considers best fitted for promotion, if of the grade of lieutenant or lieutenant (junior grade) in the Medical Corps, Dental Corps, Chaplain Corps, Civil Engineer Corps, or Medical Service Corps, or of the grade of lieutenant (junior grade) in the Nurse Corps, those whom it considers fitted for promotion, in number not exceeding the number furnished the board by the Secretary of the Navy as provided in section 208 of this title: *Provided*, That from among eligible officers junior in lineal rank to the junior officer in the appropriate promotion zone in a grade below that of captain, the board may not recommend as best fitted for promotion, a number exceeding 5 per centum of the total number that the board is authorized to recommend for promotion to the grade concerned or, if such 5 per centum shall not equal the whole number one, a number exceeding one: *Provided further*, That in each grade, except with respect to lieutenant commander and lieutenant of the Nurse Corps the junior officer in a promotion zone and all officers of his category senior to him in lineal rank who are eligible for consideration shall, if not selected for promotion, be considered as having failed of selection for promotion, and no such officer junior in lineal rank to said junior officer in said promotion zone shall, if not selected for promotion, be considered as having failed of selection for promotion: *And provided further*, That the status of having once failed of selection for promotion shall not be considered as prejudicial to an officer with respect to his qualifications, his fitness for the naval service, or his eligibility for selection by the next succeeding selection board.

Recommendations for promotion.

(b) From among those captains who are eligible for consideration for continuation on the active list, the board shall recommend for such continuation those officers whom it considers best fitted for continued service on the active list, in number not exceeding the number furnished the board by the Secretary of the Navy, as provided in section 208 of this title.

Recommendation for continuation of captains on active list.

(c) The recommendation of the board in respect to the promotion of officers designated for limited duty shall be based upon their comparative fitness, within such category for the duties prescribed for them by law.

Officers designated for limited duty.

(d) All reports or recommendations of a selection board under any provision of this title shall require the concurrence of at least two-thirds of the members: *Provided*, That the report or recommendation of a board composed of five members or less shall require the concurrence of at least a majority of the members.

Reports, etc., of board.

(e) The selection board shall also report the names of any officers among those eligible for consideration and of less than twenty years' service whose reports and records in its opinion indicate their unsatisfactory performance of duty in their present grades and in its opinion indicate that they would not satisfactorily perform the duties of a higher grade.

#### REPORTS OF SELECTION BOARDS

*Ante*, p. 819.

SEC. 210. (a) The report of the board shall be in writing, signed by all the members thereof, and shall certify that the board has carefully considered the case of every officer whose name was furnished the board by the Secretary of the Navy, as provided in section 208 of this title, and that, in the opinion of at least two-thirds of the members, the officers therein recommended, if of the grade of lieutenant commander or above, if of the grade of lieutenant or lieutenant (junior grade) in the Supply Corps or Civil Engineer Corps, or if of the grade of lieutenant in the Nurse Corps, are, subject to the limitations prescribed in subsection 209 (a) of this title, selected as the best fitted to assume the duties of the next higher grade, and, if of the grade of lieutenant or lieutenant (junior grade) in the Medical Corps, Chaplain Corps, Dental Corps, or Medical Service Corps, or if of the grade of lieutenant (junior grade) in the Nurse Corps, are selected as fitted to assume the duties of the next higher grade. The report of a board convened to recommend captains for continuation on the active list shall certify that, in the opinion of at least two-thirds of the members, if the board has more than five members, and, if the board has five members or less, in the opinion of at least a majority of the members, the officers therein recommended are selected as the best fitted for continued service on the active list.

Submission to President.

(b) The report of the board shall be submitted to the President for approval or disapproval: *Provided*, That in case any officer or officers recommended by the board for promotion, or, in the case of captains, for continuation on the active list, be not acceptable to the President, the board shall be informed of the name of such officer or officers and shall recommend a number of officers for promotion or for continuation on the active list, as the case may be, equal to the number of those found not acceptable to the President, and, if necessary, the board shall be reconvened for this purpose.

#### PROMOTION OF OFFICERS; PRECEDENCE; RUNNING MATES

Promotion list.

SEC. 211. (a) (1) Officers recommended for promotion to a grade below rear admiral in the report of a selection board, as approved by the President, shall be regarded as having been selected for promotion and their names shall be placed upon a promotion list for the grade concerned. Each such officer except a commander of the Medical Service Corps or a lieutenant commander or lieutenant of the Nurse Corps, shall become eligible for promotion to the grade for which selected when the line officer who, pursuant to subsection (h) of this section, is to be his running mate in the higher grade becomes eligible for promotion to that grade. When promoted, the staff officer shall be assigned the same date of rank which has been or, in due course, will be, given to such running mate in such higher grade and, except officers of the Medical Service Corps promoted to the grade of captain and officers of the Nurse Corps promoted to the grades of commander and lieutenant commander, shall be entitled to the pay and allowances of the higher grade from the date upon which such running mate became eligible for promotion thereto.

Medical Service and Nurse Corps.

(2) Promotions to fill vacancies in the grade of captain in the Medical Service Corps and to the grades of commander and lieutenant

commander in the Nurse Corps shall be made from among officers whose names appear on the promotion list for the grade concerned. When so promoted each such officer shall have the same date of rank which has been, or in due course will be, given the line officer who is to be his or her running mate in the grade to which promoted, but no increased pay or allowances shall accrue to any such officer by virtue of his promotion prior to the date of occurrence of the vacancy which he is promoted to fill or prior to the date of his selection for promotion, whichever shall be later.

(b) The names of officers recommended by a board for promotion to the grade of rear admiral, and approved by the President, shall be placed upon a promotion list and promotions to fill vacancies shall be made from officers whose names appear on the promotion list: *Provided*, That when so promoted each such officer shall have the same date of rank which has been given to the running mate assigned him in the grade to which he is promoted: *Provided further*, That if such running mate shall not have been promoted, the staff officer shall be given as his date of rank the date of the occurrence of the vacancy which he is promoted to fill until such running mate shall have been promoted to the grade of rear admiral, at which time the staff officer shall be given a new commission with the same date of rank given to such running mate: *And provided further*, That each staff officer promoted to the grade of rear admiral shall be entitled to the pay and allowances of that grade only from the date of occurrence of the vacancy which he is promoted to fill.

(c) The President may remove the name of any officer from the promotion list. An officer whose name is so removed from the promotion list or one whose appointment is rejected by the Senate, shall continue to be eligible for consideration for recommendation for promotion: *Provided*, That the next ensuing selection board may recommend the officer concerned for promotion, and thereupon, with the approval of the President, the name of such officer shall be replaced on the promotion list, without prejudice by reason of its having been temporarily removed therefrom, and when promoted such officer shall take the same lineal rank and date of rank that he would have had had his name not been so removed: *And provided further*, That if such officer is not so recommended by such next ensuing selection board or if the President shall again remove his name from the promotion list or if the Senate shall again reject his appointment, he shall be held for all purposes to have twice failed of selection for promotion.

(d) Line and staff officers of the Navy, when of the same grade, shall take precedence with all other line and staff officers of the same grade from the dates of rank stated in their commissions in said grade: *Provided*, That officers serving in the same grade and having the same date of rank in that grade shall take precedence in the following order: (a) Line officers, (b) medical officers, (c) supply officers, (d) chaplains, (e) civil engineers, (f) dental officers, (g) officers of the Medical Service Corps, and (h) officers of the Nurse Corps.

(e) (1) Lieutenants (junior grade) in a staff corps, appointed subsequent to the approval of this Act pursuant to any authority other than the Act of April 18, 1946 (Public Law 347, Seventy-ninth Congress), with date of rank in that grade in the same calendar year shall, in order of their lineal rank and following December 31 of that year, be assigned running mates among line lieutenants (junior grade) with dates of rank in the same calendar year, if of other than the Medical Corps, and in the preceding calendar year if of the Medical Corps, in the manner herein prescribed. Each such staff officer shall be assigned

Rear admirals.

Removal from promotion list.

Replacement.

Precedence of line and staff officers.

Assignment of running mates.

60 Stat. 92.  
34 U. S. C. § 2 *et seq.*  
*Ante*, p. 738; *post*,  
pp. 867, 877.

as his running mate the line officer whose numerical position in the order of lineal rank among the line lieutenants (junior grade) above described is equal, or nearest equal, to the product of the numerical position of the staff officer in his order of lineal rank in his corps and a fraction whose numerator is the number of such line officers and whose denominator is the number of such staff officers. When there is but one such staff officer, the running mate shall be the line officer whose lineal rank is nearest the middle of the line officers concerned: *Provided*, That in any staff corps where officers may be originally appointed to the grade of lieutenant (junior grade) or ensign, all staff officers of that corps with dates of rank as lieutenants (junior grade) in the same calendar year shall, for the purpose of assignment of running mates, be regarded as having lineal rank in such order as may be recommended in the approved report of a board of officers convened for that purpose; such boards shall be convened as soon as practicable after December 31 of each year, shall be composed of officers of the corps concerned, and their recommendations when approved by the Secretary of the Navy shall be conclusive.

60 Stat. 92.  
34 U. S. C. § 2 *et seq.*  
*Ante*, p. 738; *post*,  
pp. 867, 877.

(2) An officer appointed to a staff corps in a grade above lieutenant (junior grade) except one appointed pursuant to the Act of April 18, 1946 (Public Law 347, Seventy-ninth Congress), shall be assigned as his running mate the junior line officer of the same grade with the same date of rank, or if there be none, the junior line officer of the same grade with next earlier date of rank.

Assignment of new  
running mate.

(f) Notwithstanding the provisions of subsection (e) of this section, a line officer hereafter transferred to a staff corps in the grade of lieutenant (junior grade) or above shall, upon transfer, have assigned as his running mate the line officer immediately senior to him at the time of transfer.

(g) Should the running mate of a staff officer be separated from the active list or for any cause lose numbers, a new running mate shall be assigned the staff officer who shall be the line officer who was next senior to the former running mate, or the line officer who was next junior if the former running mate was the senior officer in the grade concerned.

Line selection  
boards.

(h) A staff officer selected for promotion shall, when promoted, have assigned as his running mate in the grade to which promoted, a line officer of the same grade whose name was placed upon the promotion list for that grade upon approval of the line selection board immediately preceding the Staff Corps selection board which selected the staff officer. Such line officer shall be the officer who was the running mate of the staff officer in the grade from which promoted if such running mate shall have been selected and promoted; otherwise, the new running mate shall be the line officer whose name was on the said promotion list and who shall have been selected and promoted next senior to the former running mate or, if there be no such line officer, the line officer who shall have been selected and promoted next junior to the former running mate. In the application of this subsection, if a board on selection for any staff corps and grade therein be not convened between the date of convening of two or more line selection boards for the same grade, the earliest of such boards shall be held as being the line selection board immediately preceding the staff board when convened.

Promotion of run-  
ning mate.

(i) Should the running mate of a staff officer be promoted to a higher grade and such staff officer be not so promoted, the latter shall have assigned as his running mate in the grade in which he remains the line officer of that grade who was next senior to the former running mate, or if there be none the line officer of that grade next junior to the former running mate.

(j) If a staff officer of the grade of lieutenant (junior grade) or above shall lose numbers in grade for any cause he shall have assigned as his new running mate the line officer who is the running mate of the junior of those officers in his corps who becomes or will become senior to him as the result of such loss of numbers.

Loss of numbers.

(k) If the running mate of a staff officer shall be advanced in numbers or shall be advanced in grade in accordance with section 1508 of the Revised Statutes, the staff officer shall have assigned as his new running mate the line officer not advanced who was next senior to his former running mate in the grade in which the staff officer remains or, if there remain in that grade no line officer who was senior to such former running mate in the grade concerned, the staff officer shall have assigned as his new running mate the senior line officer in the grade in which the staff officer remains.

Advancement of running mate in numbers, etc.  
34 U. S. C. § 345.

(l) If a staff officer of the grade of lieutenant (junior grade) or above shall be advanced in numbers in his grade, he shall have assigned as his new running mate the line officer who is the running mate of the officer of the same grade in his corps immediately senior to such staff officer in the position to which advanced; if there be no such senior staff officer, the staff officer who is so advanced shall have assigned as his new running mate the line officer who is the running mate in the grade concerned of the staff officer of the same corps immediately junior to such staff officer in the position to which advanced.

Advancement in numbers of designated staff officers.

(m) The line officer running mate assigned a staff officer pursuant to this section shall, if the staff officer be one designated for limited duty, be an officer also designated for such duty; in all other cases, the running mate shall be a line officer not restricted in the performance of duty.

Line officer running mate assigned a staff officer.

(n) Officers of the staff corps serving in the grade of rear admiral shall receive the pay and allowances prescribed by law for rear admirals of the upper half from the date on which their respective running mates enter the upper half of the list of rear admirals, but not prior to the date of the vacancy the staff officer was promoted to fill.

Pay and allowances.

#### RETIREMENT OF OFFICERS BELOW THE GRADE OF REAR ADMIRAL

SEC. 212. (a) Captains of the Medical Service Corps shall be placed on the retired list on June 30 of the fiscal year in which they complete thirty-one years of total commissioned service, and captains of each other corps whose names, on June 30 of the fiscal year in which they complete thirty-one years of total commissioned service, are not on a promotion list, shall, subject to the provisions of subsection 211 (c) of this title, if not otherwise retired pursuant to law, be placed on the retired list on that date: *Provided*, That an officer who has lost numbers or precedence shall not be placed on the retired list by reason of completion of thirty-one years of total commissioned service until June 30 of the fiscal year in which he completes five years of service in the grade of captain: *Provided further*, That captains whose names, on June 30 of the fiscal year in which they complete thirty years of total commissioned service, are not on a promotion list, shall, subject to the provisions of subsection 211 (c), if not otherwise retired pursuant to law, and if they shall have twice failed of selection for promotion to rear admiral, be placed on the retired list on that date: *Provided further*, That not to exceed the following numbers of captains, recommended for continuation on the active list in the report of a selection board as approved by the President, may be so continued until the report of the next succeeding selection board is approved but no such captain shall be continued on the active list beyond June 30 of the fiscal year in which he shall have completed thirty-five years of total

Captains.

*Ante*, p. 823.

Continuation on active list.

commissioned service: Twenty-two in the Medical Corps, twenty-two in the Supply Corps, twenty-five in the Chaplain Corps, seven in the Civil Engineer Corps, twelve in the Dental Corps: *And provided further*, That a captain so continued on the active list shall, if not again recommended for continuation on the active list in the approval report of the next succeeding selection board, thereafter be carried in excess of the number authorized to be so continued and shall be placed on the retired list on June 30 of the then current fiscal year.

Commanders.

*Ante*, p. 823.

Involuntary retirement.

Officers designated for limited duty.

Lieutenant commanders.

Lieutenant commanders designated for limited duty.

(b) Commanders, except commanders designated for limited duty, whose names, on June 30 of the fiscal year in which they complete twenty-six years of total commissioned service, are not on a promotion list, shall, subject to the provisions of subsection 211 (c) of this title, if not otherwise retired pursuant to law and if they shall have twice failed of selection for promotion to captain, be placed on the retired list on that date. Commanders, except commanders designated for limited duty, who shall twice fail of selection for promotion to captain, if such second failure shall occur subsequent to June 30 of the fiscal year in which they complete twenty-six years of total commissioned service, shall, if not otherwise retired pursuant to law, be placed on the retired list on June 30 of the fiscal year in which such second failure shall occur: *Provided*, That commanders in the Medical Service Corps shall not be involuntarily retired by reason of failure of selection for promotion until June 30 of the fiscal year in which they shall have completed thirty years of total commissioned service.

(c) Officers designated for limited duty shall, if not otherwise retired pursuant to law, be placed on the retired list on the last day of the month following the month in which they complete thirty years of active naval service, exclusive of active duty for training in a Reserve component.

(d) Lieutenant commanders, except lieutenant commanders designated for limited duty and lieutenant commanders of the Nurse Corps, whose names, on June 30 of the fiscal year in which they complete twenty years of total commissioned service, are not on a promotion list, shall, subject to the provisions of subsection 211 (c) of this title, if not otherwise retired pursuant to law and if they shall have twice failed of selection for promotion to commander, be placed on the retired list on that date. Lieutenant commanders, except lieutenant commanders designated for limited duty and lieutenant commanders of the Nurse Corps, who shall twice fail of selection for promotion to commander, if such second failure shall occur subsequent to June 30 of the fiscal year in which they complete twenty years of total commissioned service, shall, if not otherwise retired pursuant to law, be placed on the retired list on June 30 of the fiscal year in which such second failure shall occur.

(e) Lieutenant commanders designated for limited duty shall, if not otherwise retired pursuant to law, be placed on the retired list on June 30 for the fiscal year in which they shall have twice failed of selection for promotion to commander: *Provided*, That such an officer instead of such separation from the active list shall, if he had the permanent status of a warrant officer or a commissioned warrant officer when first appointed an officer for the performance of limited duty only, have the option of reverting to the grade and status he would have held had he not been so appointed, and if he had a permanent rating below warrant officer when first so appointed he shall have the option of reverting to the grade and status he would have held had he not been so appointed but had instead been appointed a warrant officer, and in any computation to determine such grade and status all service as an officer designated for limited duty, or as a temporary or Reserve officer shall be included: *And provided further*,

That such an officer exercising such option shall, if not otherwise retired pursuant to law, be placed on the retired list in the grade in which then serving, upon the completion of a total of thirty years of active naval service, exclusive of active duty for training in a Reserve component, with retired pay at the rate of 75 per centum of his active-duty pay.

(f) Officers above the grade of lieutenant who are placed on the retired list pursuant to the provisions of this section shall be placed thereon with retired pay at the rate of  $2\frac{1}{2}$  per centum of their active-duty pay at the time of retirement multiplied by the number of years of service for which entitled to credit in the computation of their pay on the active list, not to exceed a total of 75 per centum of said active-duty pay: *Provided*, That a fractional year of six months or more shall be considered a full year in computing the number of years' service by which the rate of  $2\frac{1}{2}$  per centum is multiplied: *Provided further*, That the retired pay of an officer commissioned in the Regular Navy pursuant to the provisions of the Act approved April 18, 1946 (Public Law 347, Seventy-ninth Congress), or one commissioned in the Regular Navy subsequent to September 8, 1939, while serving on active duty as an officer of the Naval Reserve, who is so placed on the retired list, shall not be less than 50 per centum of his active-duty pay at the time of retirement.

(g) Lieutenants and lieutenants (junior grade), except lieutenants of the Nurse Corps, who shall have twice failed of selection for promotion to lieutenant commander and lieutenant, respectively, and officers whose names are reported in accordance with subsection 209 (e) of this Act, shall be honorably discharged from the Navy on June 30 of the fiscal year in which they fail of such selection the second time, or in which their names are reported in accordance with subsection 209 (e) of this Act, with a lump-sum payment computed on the basis of two months' active-duty pay at the time of discharge for each year of commissioned service computed in accordance with subsection 202 (d), but not to exceed a total of two years' active-duty pay: *Provided*, That for the purpose of this subsection a fractional year of six months or more shall be considered a full year in computing the number of years' commissioned service upon which to base such lump-sum payment: *And provided further*, That an officer designated for limited duty, instead of such separation from the active list, shall have the option described in subsection (e) of this section.

(h) Officers on a promotion list who, at any time prior to promotion, are found incapacitated for service by reason of physical disability contracted in line of duty shall, when retired, be retired in the rank for which they were selected, with retired pay at the rate of 75 per centum of the active-duty pay of the grade to which selected.

(i) The provisions of this title relating to the discharge or retirement of officers who have twice failed of selection for promotion shall be applicable to officers above the grade of ensign who failed on professional reexamination for promotion in the same manner as if such officer had twice failed of selection for promotion.

(j) Nothing in this section shall be held to reduce the retired rank or pay to which an officer would be entitled under other provisions of law.

Retired pay for officers in grades above lieutenant.

Fractional year.

60 Stat. 92.  
34 U. S. C. § 2 et seq.  
*Ante*, p. 738; *post*, pp. 867, 877.

Lieutenants and lieutenants (jg).

*Ante*, p. 822.

*Ante*, p. 816.  
Fractional year.

Physical disability.

Applicability of designated provisions to officers above grade of ensign.

Retired rank, etc.

#### RETIREMENT OF OFFICERS ABOVE THE GRADE OF CAPTAIN

SEC. 213. (a) The Secretary of the Navy shall make a special review of vacancies in the grade of rear admiral in the Chaplain Corps in the third fiscal year following the fiscal year in which this Act becomes effective, and in the third fiscal year of each three-year period thereafter, and, should it be found, in any such third year, as

Review of vacancies.  
Rear admiral in Chaplain Corps.



of the time of the convening of a board for the consideration of captains of the Chaplain Corps for promotion to the grade of rear admiral that no such captain was selected during the two preceding fiscal years because of lack of existing and estimated vacancies, and that no vacancy exists and none is estimated to occur during the ensuing twelve-month period, the Secretary of the Navy shall convene a board composed of three officers of the line of the grade of rear admiral or above, to consider rear admirals of the Chaplain Corps and to recommend one such officer for retirement.

Rear admiral in  
Dental Corps.

(b) The Secretary of the Navy shall make a special review of vacancies in the grade of rear admiral in the Dental Corps in the second fiscal year following the fiscal year in which this Act becomes effective, and in the second fiscal year of each two-year period thereafter, and, should it be found, in any such second year, as of the time of the convening of a board for the consideration of captains of the Dental Corps for promotion to the grade of rear admiral, that no such captain was selected during the preceding fiscal year because of lack of existing and estimated vacancies and that no vacancy exists and none is estimated to occur during the ensuing twelve-month period, the Secretary of the Navy shall convene a board composed of one officer of the Dental Corps and two officers of the line, of the grade of rear admiral or above, to consider rear admirals of the Dental Corps and to recommend one such officer for retirement.

Selection for promotion  
of captains in  
Medical and Supply  
Corps.

(c) Should it be found, as of the time of the convening of a board for the consideration of captains in the Medical Corps or in the Supply Corps for promotion to the grade of rear admiral, that the number of vacancies existing plus the estimated number of vacancies which will occur during the ensuing twelve-month period in the grade of rear admiral is less than will permit the selection for promotion of a number of captains in the corps concerned equal to 15 per centum of the authorized number of rear admirals, the Secretary of the Navy shall convene a board of not less than five officers, serving in the rank of rear admiral or above, to consider and recommend for retirement a sufficient number of such rear admirals to permit the selection for promotion of the said number of captains.

Rear admiral in  
Civil Engineer Corps.

(d) The Secretary of the Navy shall make a special review of vacancies in the grade of rear admiral in the Civil Engineer Corps in the second fiscal year following the fiscal year in which this Act becomes effective and in the second fiscal year of each two-year period thereafter, and, should it be found, in any such second year, as of the time of the convening of a board for the consideration of captains of the Civil Engineer Corps for promotion to the grade of rear admiral, that no such captain was selected during the preceding fiscal year because of lack of existing and estimated vacancies, and that no vacancy exists and none is estimated to occur during the ensuing twelve-month period, the Secretary of the Navy shall convene a board composed of one officer of the Civil Engineer Corps and two officers of the line, of the rank of rear admiral or above, to consider rear admirals of the Civil Engineer Corps and to recommend one such officer for retirement.

Submission of re-  
port to President.

(e) The report of a board convened pursuant to the provisions of this section shall be submitted to the President for approval or disapproval; if the President shall disapprove the recommendations of the board in whole or in part, the board shall then recommend additional rear admirals for retirement equal in number to those disapproved by the President.

Retired pay.

(f) Officers so recommended for retirement as approved by the President shall, if not otherwise retired pursuant to law, be placed upon the retired list on June 30 of the then current fiscal year with retired

pay at the rate of 2½ per centum of their active-duty pay in the grade in which serving at the time of retirement multiplied by the number of years of service for which they would be entitled to credit in the computation of pay on the active list had they been serving in the grade of captain at the time of their retirement, but retired pay so computed shall not exceed a total of 75 per centum of said active-duty pay.

(g) The boards provided for in this section except as otherwise specified in this section shall be composed of officers on the active list of the Navy of the corps concerned. In case there be not a sufficient number of officers of the corps concerned legally or physically capacitated to serve on a selection board of such corps, officers of the line on the active list of equivalent rank may be detailed to duty on such board to constitute the required membership.

(h) Nothing in this section shall be held to reduce the retired rank or pay to which an officer would be entitled under other provision of law.

Composition of boards.

Retired rank, etc.

#### EFFECTIVE DATE OF TITLE II

SEC. 214. Sections 201, 202, and 203 of this title shall be effective upon the date of approval of this Act. The remaining provisions of this title shall be effective upon the termination of title III of this Act.

*Ante*, pp. 815, 816.

### TITLE III—TERMINABLE PROVISIONS RELATING TO ALL OFFICERS OF THE NAVY ON ACTIVE DUTY

#### TEMPORARY STATUS OF TITLE III

SEC. 301. The authority granted by this title and all provisions hereof shall be terminated when the President shall determine that the number of officers holding permanent appointments on the active list of the line of the Regular Navy is equal to 95 per centum of the number of such officers authorized by law or on January 1, 1957, whichever shall occur the earlier.

#### DEFINITIONS

SEC. 302. (a) As used in this title, the words "temporarily appointed" shall be interpreted to mean also "temporarily promoted"; the words "temporary appointment in a grade to which appointed for a period of limited duration" shall be interpreted to mean a temporary appointment which by its terms is of limited duration; the word "officers" shall, unless otherwise qualified, be interpreted to mean all officers of the grade of ensign and above on active duty in the Navy, exclusive of officers on the retired list, exclusive of officers of the Naval Reserve assigned to active duty for training, and exclusive of officers of the Naval Reserve ordered to active duty in connection with organizing, administering, recruiting, instructing, training, or drilling the Naval Reserve, or ordered to temporary active duty for the purpose of prosecuting special work; the words "not restricted in the performance of duty" shall be interpreted to mean officers not designated for engineering duty, aeronautical engineering duty, special duty, or limited duty, or officers of the Marine Corps not designated for supply duty or limited duty; the words "line officers" shall, unless otherwise qualified, be interpreted to include officers of the line designated for engineering duty, aeronautical engineering duty, special duty, and limited duty; and the words "staff officers" shall, unless otherwise qualified, be interpreted to mean all officers of all staff corps, including officers in each such corps designated for limited duty.

"Temporarily appointed."

"Officers."

"Not restricted in the performance of duty."

"Line officers."

"Staff officers."

Military titles.

(b) As used in this title, military titles shall be held to describe an officer or officers, as the case may be serving in the grade concerned.

Temporary appointments.

*Post*, pp. 875, 876.

Permanent, probationary, and acting appointments.

Uniform gratuity.

Numbers of temporary appointments.

Applicability to Naval Reserve.

An officer holding a permanent appointment in one grade and a temporary appointment in a higher grade shall, for this purpose, be held to be serving in the higher grade: *Provided*, That an officer serving under a temporary appointment, including a temporary appointment under section 413 or section 415 of this Act, in a grade to which appointed for a period of limited duration shall, for purposes of eligibility for selection, promotion, and involuntary retirement, be deemed to be serving in the grade he would hold were he not serving under such appointment.

(c) The following personnel may be temporarily appointed to grades in the Regular Navy or Marine Corps, except in the Nurse Corps of the Regular Navy, including the grades of warrant officer and commissioned warrant officer, not above lieutenant in the Navy and captain in the Marine Corps:

(1) Commissioned warrant officers of the Regular Navy and Marine Corps.

(2) Warrant officers of the Regular Navy and Marine Corps.

(3) First-class petty officers and above in the Regular Navy and staff sergeants and above in the Regular Marine Corps.

(d) Officers on the active list of the Regular Navy or Marine Corps in commissioned grades, including those appointed under the authority of subsection (c) of this section, may be temporarily appointed to higher grades in the Regular Navy or Marine Corps.

(e) The permanent, probationary, or acting appointments of those persons temporarily appointed in accordance with the provisions of this title shall not be vacated by reason of such temporary appointments, such persons shall not be prejudiced thereby in regard to promotion, advancement, or appointment in accordance with laws relating to the Regular Navy or Marine Corps, and their rights, benefits, privileges, and gratuities shall not be lost or abridged in any respect whatever by their acceptance of commissions or warrants hereunder: *Provided*, That, except as otherwise provided herein, no person who shall accept a temporary appointment under the provisions of this title shall, while serving thereunder, be entitled to pay or allowances except as provided by law for the position temporarily occupied: *And provided further*, That no person temporarily appointed under the authority of this section shall suffer any reduction in pay and allowances to which he was entitled by virtue of his permanent status at the time of such temporary appointment nor shall he suffer any reduction in pay and allowances to which he was entitled under a prior temporary appointment in a lower grade.

(f) Enlisted men shall, upon being initially appointed as provided by this section, be paid the sum of \$250 as a uniform gratuity.

(g) The temporary appointments under the authority of subsection (c) of this section shall be in such numbers as the President may determine that the needs of the service require but not to exceed, in each case, the difference between the actual number of officers in the line and in each staff corps holding permanent appointments on the active list of the Regular Navy and the authorized number of such officers.

(h) The provisions of this section shall apply to personnel of the Naval Reserve (except the Fleet Reserve, and personnel of the Naval Reserve ordered to active duty in connection with organizing, administering, recruiting, instructing, training, or drilling the Naval Reserve, or ordered to temporary active duty for the purpose of prosecuting special work), when on active duty, in like manner and to the same extent and with the same relative conditions in all respects as are provided for personnel of the Regular Navy and Marine Corps, but this shall not be construed to authorize the temporary appointment of the personnel thereof to grades in the Regular Navy or Marine Corps.

(i) Not later than the first day of the fourth month following the date of approval of this Act, all temporary appointments of naval and Marine Corps personnel made pursuant to the Act of July 24, 1941 (55 Stat. 603), as amended, except those which are affirmed or continued in effect pursuant to this Act, shall be terminated.

(j) The words "active-duty pay" as used in sections 312 and 313 of this title shall be construed to mean the base and longevity pay the retired officer concerned would receive if serving on active duty in his grade.

#### DISTRIBUTION OF OFFICERS

SEC. 303. (a) The total number of line officers serving on active duty at any one time, exclusive of officers carried by law as additional numbers in grade and of fleet admirals, shall be distributed in the proportion of seventy-five one-hundredths of one in the grade of rear admiral and above to six in the grade of captain, to twelve in the grade of commander, to eighteen in the grade of lieutenant commander, to twenty-four and seventy-five one-hundredths in the grade of lieutenant, to thirty-eight and fifty one-hundredths in the combined grades of lieutenant (junior grade) and ensign: *Provided*, That of the number of officers so authorized in each grade below captain, not to exceed the following percentages may be officers designated for limited duty: In the grade of commander,  $3\frac{64}{100}$  per centum; in the grade of lieutenant commander,  $8\frac{62}{100}$  per centum; in the grade of lieutenant,  $7\frac{72}{100}$  per centum; and in the combined grades of lieutenant (junior grade) and ensign,  $6\frac{4}{100}$  per centum.

(b) The total number of rear admirals designated for engineering duty, aeronautical engineering duty, and special duty shall not exceed at any one time a number equal to 13 per centum of the authorized number of line officers, not restricted in the performance of duty, of the grade of rear admiral or above exclusive of fleet admirals at that time.

(c) The total number of officers designated for engineering duty, in the combined grades of captain, commander, and lieutenant commander, shall not exceed at any one time a number equal to 9 per centum of the total number of line officers, not restricted in the performance of duty, authorized in those grades at that time.

(d) The total number of officers designated for aeronautical engineering duty only, in the combined grades of captain, commander, and lieutenant commander, shall not exceed at any one time a number equal to 5 per centum of the total number of line officers, not restricted in the performance of duty, authorized in those grades at that time.

(e) The total number of officers designated for special duty, in the combined grades of captain, commander, and lieutenant commander, shall not exceed at any one time a number equal to 5 per centum of the total number of line officers, not restricted in the performance of duty, authorized in those grades at that time.

(f) Officers of the Staff Corps of the Navy shall be distributed in the various grades in each staff corps in accordance with the provisions of this title: *Provided*, That the number of rear admirals in the Medical Corps, Supply Corps, Chaplain Corps, Civil Engineer Corps, and Dental Corps, respectively, exclusive of any such rear admiral serving as a chief of bureau, shall not exceed in each corps five-tenths of 1 per centum of the officers in that corps serving on active duty at any one time: *Provided further*, That such a rear admiral serving as a chief of bureau shall upon termination of his tenure as chief of bureau be carried in excess until the next vacancy occurs in the grade of rear admiral in the corps concerned: *And provided further*, That the number of captains in the Medical

Termination.

34 U. S. C. §§ 350-350j.  
*Ante*, pp. 312, 313.  
 "Active-duty pay."  
*Post*, pp. 858, 861.

Line officers.

Number designated  
 for engineering and  
 special duty.  
 Rear admirals.

Combined grades of  
 captain, commander,  
 and lieutenant com-  
 mander.

Staff Corps.

Service Corps and the number of commanders and lieutenant commanders in the Nurse Corps shall not exceed 2 per centum, seven-tenths of 1 per centum, and  $1\frac{1}{10}$  per centum, respectively, of the officers in the corps concerned serving on active duty at any one time.

Determination of number of line officers in designated grades.

(g) To determine the authorized number of line officers in each of the various grades above lieutenant (junior grade), and in the combined grades of lieutenant (junior grade) and ensign, as provided in this section, computations shall be made by the Secretary of the Navy as of the date of approval of this Act and thereafter as of January 1 of each year, and the resulting number in each of such various grades, and in the combined grades of lieutenant (junior grade) and ensign, as so computed, shall, subject to the provisions of subsection (k) of this section, be held and considered for all purposes as the authorized number of officers in each of such various grades and in the combined grades of lieutenant (junior grade) and ensign, and shall not be varied between such computations: *Provided*, That to determine the authorized number of line officers designated for limited duty in each of the various grades above lieutenant (junior grade), and in the combined grades of lieutenant (junior grade) and ensign, the Secretary of the Navy, as of the date of approval of this Act and thereafter as of January 1 of each year, shall compute the maximum number of such officers which may serve in each of such various grades, and in the combined grades of lieutenant (junior grade) and ensign, as provided in subsection (a) of this section, and shall determine the number of such officers in each of such various grades, and in the combined grades of lieutenant (junior grade) and ensign, not to exceed such maximum number, required to meet the needs of the service during the ensuing year, and the resulting number in each of such various grades, and in the combined grades of lieutenant (junior grade) and ensign, as so determined, shall be held and considered for all purposes as the authorized number of such officers in each of such various grades, and in the combined grades of lieutenant (junior grade) and ensign, and shall not be varied between such determinations: *Provided further*, That notwithstanding the provisions of this subsection relating to the authorized number of officers in grade, in order to make adjustments for the number of officers originally appointed each year in any grade pursuant to this Act or to other provisions of law, the authorized number of officers in each grade concerned may be temporarily exceeded by such number of original appointments in such grade until the next succeeding annual computation authorized by this subsection shall be made.

Line officers designated for limited duty.

Adjustments.

Annual computations.

(h) To determine the authorized number of officers in the grade of rear admiral in the Medical Corps, Supply Corps, Chaplain Corps, Civil Engineer Corps, and Dental Corps, respectively, and the authorized number of captains in the Medical Service Corps and the authorized number of commanders and lieutenant commanders in the Nurse Corps, as provided in this section, computations shall be made by the the Secretary of the Navy as of the date of approval of this Act and as of January 1 of each year thereafter; the resulting number in the grade of rear admiral in each corps in which such grade is authorized, as so computed, shall, subject to the provisions of subsection (k) of this section, be held and considered for all purposes as the authorized number of officers in the grade of rear admiral in each such corps and shall not be varied between computations; the resulting number in the grade of captain in the Medical Service Corps and in each of the grades of commander and lieutenant commander in the Nurse Corps, as so computed, shall, subject to the provisions of subsection (k) of this section, be held and considered as the authorized number of officers in the grade of the corps concerned until a subsequent computation shall be made.

(i) Officers holding permanent appointments in the Regular Navy and Marine Corps temporarily appointed to higher grades under the authority of this title shall, for the purposes of titles I and II of this Act, be counted in their permanent grades, and, for the purposes of this section, be counted in their temporary grades.

Temporary appointments.

*Ante*, pp. 798, 815.

(j) Whenever a final fraction occurs in any computation made pursuant to this title, the nearest whole number shall be taken, and if such fraction be one-half the next higher whole number shall be taken.

Final fraction.

(k) Upon determination of the authorized number of officers in each of the various grades and in the combined grades of lieutenant (junior grade) and ensign, with respect to officers serving on active duty as provided in this section, and with respect to officers holding permanent appointments on the active list of the Regular Navy, as provided in section 103 of title I and section 203 of title II of this Act, computations shall be made by the Secretary of the Navy to determine the authorized number of officers which may serve under temporary appointment in the line in each of the various grades and in the combined grades of lieutenant (junior grade) and ensign and in each grade in a staff corps where computations are prescribed to determine the authorized number. Should the Secretary of the Navy determine, at the time of making the computations prescribed by subsections (g) and (h) of this section, that in any grade above lieutenant (junior grade) a lesser number of officers than the computed number of officers for that grade is required to meet the needs of the service, the lesser number shall be held and considered to be the authorized number for that grade and the reduction may be applied as an increase in the authorized number of such officers in any lower grade or grades.

*Ante*, pp. 798, 815.

#### REDISTRIBUTION ; LINEAL LISTS ; RETENTION OF REAR ADMIRALS

SEC. 304. (a) As soon as practicable, but not later than thirty days after the date of approval of this Act, the Secretary of the Navy shall establish a single lineal list of all officers of the grade of ensign and above of the line of the Navy or Naval Reserve on active duty on the date of establishment of such list, and such lineal list shall constitute the order of seniority of such officers as of the date of its establishment: *Provided*, That there shall be excluded from such lineal list the following: (1) Retired officers of the Navy or Naval Reserve who are on active duty; (2) retired enlisted men on active duty serving under a temporary appointment above commissioned warrant officer pursuant to the Act of July 24, 1941 (55 Stat. 603), as amended; (3) members of the Fleet Reserve on active duty serving under a temporary appointment above commissioned warrant officer pursuant to the Act of July 24, 1941 (55 Stat. 603), as amended; (4) temporary officers serving in grades above commissioned warrant officers pursuant to the Act of July 24, 1941 (55 Stat. 603), as amended, whose only appointment to any such grades was one for a period of limited duration; (5) regular or temporary officers of the Navy or officers of the Naval Reserve, who, prior to the establishment of the lineal list, are under orders directing their release from active duty; and (6) officers of the Naval Reserve ordered to active duty in connection with organizing, administering, recruiting, instructing, training, or drilling the Naval Reserve, or ordered to temporary active duty for the purpose of prosecuting special work. Officers shall be placed on this list in accordance with the grade or rank and precedence held by them on the date of approval of this Act whether by virtue of temporary or permanent appointment except officers serving with the rank of rear admiral without appointment to that grade or rank shall be placed upon such list in accordance with the grade and precedence which they would hold were they not serving with the rank of rear

Lineal lists

Exclusions.

34 U. S. C. §§ 350-350j.  
*Ante*, pp. 312, 313.

Termination of temporary appointment.

admiral: *Provided*, That in the event of the termination, subsequent to the approval of this Act and prior to the establishment of the lineal list, of the temporary appointment of an officer serving in the grade or rank of admiral or vice admiral, or in a grade to which appointed for a period of limited duration, such officer shall be placed on such list with the grade or rank and precedence he would have held had he not been so temporarily appointed: *And provided further*, That any officer who, on the date of establishment of such list, is serving under a temporary appointment in the grade or rank of admiral or vice admiral or in a grade to which appointed for a period of limited duration, shall, upon termination of such temporary appointment, be placed on the lineal list in accordance with the grade and precedence he would have held had he not been so temporarily appointed.

Determination of number to be permanently appointed.

*Ante*, p. 798.

Determination of number to be temporarily appointed.

*Ante*, p. 831.

Authority to fill vacancies by permanent appointments.

(b) As soon as practicable, but not later than thirty days after the date of approval of this Act, the Secretary of the Navy shall determine, as of the date of approval of this Act, the number of officers authorized to be permanently appointed in the various grades of the line as provided in section 103 of title I of this Act.

(c) As soon as practicable, but not later than thirty days after the date of approval of this Act, the Secretary of the Navy shall determine, as of the date of approval of this Act, the number of officers authorized to be temporarily appointed in the various grades of the line as provided in section 303 of this title.

(d) Upon completion of the establishment of the lineal list as prescribed by subsection (a) of this section, and upon the determination of the number of officers authorized to be permanently appointed in the various grades of the line, as prescribed by subsection (b) of this section, the President is authorized to fill vacancies in the various grades of the line of the Regular Navy by permanently appointing thereto and regularly commissioning therein officers holding permanent appointments in the line of the Regular Navy in the grade of ensign or above who are on the lineal list established under subsection (a) of this section, and such officers shall be so appointed in the order of their seniority on such lineal list: *Provided*, That any line officer holding a permanent appointment in the Regular Navy below the grade of rear admiral and above the grade of chief warrant officer on the date of establishment of the lineal list, and who at that time is serving in the grade or rank of admiral or vice admiral or in a grade to which appointed for a period of limited duration, may be permanently appointed and regularly commissioned in the grade and with precedence therein according to the lineal position to which he would be entitled were he not so serving or had not been so temporarily appointed: *Provided further*, That an officer designated for engineering duty, aeronautical engineering duty, or special duty holding a permanent appointment in the Regular Navy may be permanently appointed to and regularly commissioned in the same grade to which the line officer next junior to him on the lineal list, who is not restricted in the performance of duty, and who is not serving under a temporary appointment in a grade to which appointed for a period of limited duration, is so appointed pursuant to this subsection: *Provided further*, That officers designated for engineering duty, aeronautical engineering duty, or special duty who solely by reason of the limitation of subsection 103 (b) are not permanently appointed to and regularly commissioned in the grade of rear admiral may be permanently appointed to and regularly commissioned in the grade of captain: *Provided further*, That an officer designated for engineering duty, aeronautical engineering duty, or special duty holding a permanent appointment in the Regular Navy on the date of establishment of the lineal list, and who at that time is serving under a temporary appointment in a grade to which appointed

Officers designated for engineering or special duty.

*Ante*, p. 799.

for a period of limited duration, may be permanently appointed to and regularly commissioned in the grade and with precedence therein according to the lineal position to which he would be entitled had he not been so temporarily appointed: *Provided further*, That officers who, on the date of the establishment of the lineal list, were permanently commissioned in the line of the Regular Navy as ensigns, and who at that time were serving under temporary appointments as lieutenants (junior grade), may be permanently appointed to and regularly commissioned in the line of the Regular Navy in the grade of lieutenant (junior grade) and with the precedence to which entitled by virtue of their position on the lineal list: *Provided further*, That each line officer of the Naval Reserve on the lineal list who holds a permanent commission in the grade of ensign or above may be permanently appointed to and regularly commissioned in the same grade in the Naval Reserve to which the line officer of the Regular Navy next junior to him is permanently appointed in the Regular Navy, and for the purpose of this proviso the position of any such Reserve officer on the lineal list shall be determined without regard to such temporary appointment in a grade to which appointed for a period of limited duration which he may hold: *Provided further*, That no officer shall be appointed, pursuant to this subsection, to a higher grade than the grade held by him on the lineal list: *Provided further*, That appointments made pursuant to this subsection shall not be subject to qualification by examination: *Provided further*, That all appointments to grades below that of rear admiral effected pursuant to this subsection shall be regarded as having been made with the advice and consent of the Senate: *And provided further*, That no provision of this title shall be construed to require the reappointment to a permanent grade of any officer who already holds a permanent appointment in such grade.

Ensigns.

(e) Upon completion of the establishment of the lineal list as prescribed by subsection (a) of this section, and upon the determination of the number of officers authorized to be temporarily appointed in the various grades of the line, as prescribed by subsection (c) of this section, the President is authorized to fill vacancies in the various grades of the line of the Navy by temporarily appointing thereto officers who are on the lineal list established under subsection (a) of this section, and such officers shall be so appointed in the order of their seniority on such list: *Provided*, That an officer designated for engineering duty, aeronautical engineering duty, or special duty may be temporarily appointed to the same grade to which the line officer next junior to him on the lineal list, who is not restricted in the performance of duty, and who is not serving under a temporary appointment in a grade to which appointed for a period of limited duration, may be so appointed pursuant to this subsection: *Provided further*, That the existing temporary appointment or designation of a line officer placed on the lineal list and who, on the date of establishment of such list, is serving in the grade or rank of admiral or vice admiral or in a grade to which appointed for a period of limited duration, is hereby continued in effect until such appointment or designation shall terminate by its terms or until terminated by the President, whichever shall be earlier; upon such termination such officer may be temporarily appointed to the grade and with the precedence therein to which he would be entitled were he not so serving or had he not been so temporarily appointed: *Provided further*, That retired personnel of the Navy or Naval Reserve who are serving on active duty on the date of the establishment of the lineal list under a temporary appointment in the grade of ensign or above, may be retained on active duty, and the existing temporary appointments of such personnel are hereby continued in effect until such appointments shall

Authority to fill vacancies by temporary appointments.

Officers designated for engineering or special duty.

Continuation of temporary appointment, etc.

Retired personnel on active duty.



Members of Fleet Reserve.

Personnel in grades above commissioned warrant officer.

Temporary appointment to higher grade.

Maximum number of line officers.

*Ante*, p. 831.

Maintenance of precedence.

terminate by their own terms or until such appointments are terminated by the President or until the officers concerned shall be placed on inactive duty, whichever shall be earliest, and all such temporary appointments other than those for a period of limited duration may be affirmed by the President and upon such affirmation shall thereafter be considered as having been effected pursuant to this section; upon the termination of the temporary appointment and retention on active duty of any such officer who is so serving, but whose temporary appointment is one to a grade to which he is appointed for a period of limited duration, he may be temporarily appointed to the grade in which he would have been serving on the date of approval of this Act had he not been serving at that time under such temporary appointment in a grade to which appointed for a period of limited duration: *Provided further*, That members of the Fleet Reserve who are serving on active duty on the date of the establishment of the lineal list under a temporary appointment in the grade of ensign or above may be retained on active duty and the existing temporary appointments of such personnel are hereby continued in effect until such appointments shall terminate by their own terms or until such appointments are specifically terminated by the President or until the officers concerned shall be placed on inactive duty, whichever shall be earliest, and all such temporary appointments other than those for a period of limited duration may be affirmed by the President and upon such affirmation shall thereafter be considered as having been effected pursuant to this section; upon the termination of the temporary appointment and retention on active duty of any such officer who is so serving, but whose temporary appointment is one to a grade to which he is appointed for a period of limited duration, he may be temporarily appointed to the grade in which he would have been serving on the date of approval of this Act had he not been serving at that time under such temporary appointment in a grade to which appointed for a period of limited duration: *Provided further*, That personnel of the Navy or Naval Reserve who are serving on active duty on the date of the establishment of the lineal list in grades above commissioned warrant officer, and who have never served in any such grade except under a temporary appointment in a grade to which appointed for a period of limited duration, may be retained on active duty and serve under such appointment until the termination thereof: *Provided further*, That no officer shall be temporarily appointed, pursuant to this subsection, to a higher grade than the grade held by him on the date of approval of this Act, exclusive of a temporary appointment in the grade of admiral or vice admiral or in a grade to which appointed for a period of limited duration: *Provided further*, That officers who are eligible to be temporarily appointed to any grade pursuant to this subsection may be so appointed notwithstanding receipt of a permanent appointment pursuant to subsection (d) of this section if such temporary appointment is necessary to the maintenance of their relative rank and precedence established by the lineal list: *And provided further*, That the number of line officers who may serve on active duty in any grade shall not exceed the authorized number of officers in such grade determined as prescribed in section 303 of this Act.

(f) Permanent appointments effected pursuant to subsection (d) of this section shall be effected with such dates of rank and registered numbers as shall maintain for each officer the precedence evidenced by his position on the lineal list established pursuant to subsection (a) of this section: *Provided*, That for the purpose of this subsection such position on the lineal list shall be determined without regard to temporary appointments in the grades of admiral or vice admiral or in a grade to which appointed for a period of limited duration.

(g) Temporary appointments effected pursuant to subsection (e) of this section shall be effected with such dates of rank and registered numbers as shall maintain for each officer the precedence held by him at the time of the establishment of the lineal list established pursuant to subsection (a) of this section: *Provided*, That for the purpose of this subsection such precedence shall be determined without regard to temporary appointments in the grades of admiral or vice admiral or in a grade to which appointed for a period of limited duration.

(h) (1) As soon as practicable after the establishment of the lineal list for line officers as prescribed by subsection (a) of this section the Secretary of the Navy shall convene a board, composed of officers of the line and of each staff corps of the Navy, and such board, which is authorized to conduct its studies in appropriate panels but to make determinations only by the full board after a majority vote, shall recommend the assignment of running mates from among line officers on such lineal list to all officers of the grade of lieutenant (junior grade) and above of the various staff corps of the Navy or Naval Reserve on active duty on the date of establishment of such lineal list: *Provided*, That running mates shall not be assigned to the following officers of the staff corps: (1) Officers of the same categories as the line officers described in clauses (1) through (6) of the first proviso of subsection (a) of this section, and (2) officers serving in the grade of ensign.

Assignment of running mates.

(2) In recommending the assignment of running mates the board will be governed by the following principles except with respect to officers of the Nurse Corps:

Principles.

a. Each staff officer shall, except as provided in paragraph d of this subsection, have assigned as his running mate a line officer who, on the date of approval of this Act, is serving in the same grade as such staff officer.

b. If there be more than one line officer who, on the date of approval of this Act, is serving in the same grade and with the same date of rank as a particular staff officer, one of such line officers shall be assigned as the running mate of such staff officer.

c. If there be no line officer who, on the date of approval of this Act, is serving in the same grade and with the same date of rank as a particular staff officer, such staff officer shall have assigned as his running mate the line officer serving in the same grade who has the next earlier date of rank in such grade, and if there be no such line officer, he shall have assigned as his running mate the senior line officer in the same grade.

d. An officer of a staff corps who, on the date of approval of this Act or subsequently, is serving under a temporary appointment in a grade above rear admiral or in a grade to which appointed for a period of limited duration shall be assigned a running mate based upon the rank and precedence he would have held had he not been so serving.

(3) The assignment of running mates as recommended by the Board convened pursuant to this subsection and approved by the Secretary of the Navy shall be accomplished not later than sixty days after the date of approval of this Act.

(i) As soon as practicable, but not later than thirty days after the assignment of running mates is completed, as prescribed in subsection (h) of this section, the Secretary of the Navy shall establish a single lineal list, for each staff corps of the Navy, of all staff officers who were assigned running mates pursuant to such subsection, and such officers shall be placed on such list in the order of seniority of their running mates as of the date of establishment of the line officers lineal list pursuant to subsection (a) of this section: *Provided*, That in the event that more than one officer in the same staff corps is assigned the same

Lineal list for each staff corps.

running mate such officers of such staff corps shall have lineal positions with respect to each other in accordance with the order of their seniority as of the date of approval of this Act: *Provided further*, That, notwithstanding any of the provisions of this subsection, officers of any staff corps who, on the date of establishment of the lineal list under this subsection, are serving under a temporary appointment in a grade above rear admiral or in a grade to which appointed for a period of limited duration, shall retain the lineal position to which they are entitled by virtue of such appointment until the termination thereof: *And provided further*, That officers of the grade of ensign in any staff corps shall have lineal position with respect to each other in accordance with the order of their seniority as of the date of the approval of this Act.

Permanent appointment in staff corps.

Naval Reserve.

Temporary appointment of officers of staff corps.

Continuation of temporary appointment.

(j) Immediately after the establishment of the lineal list for each staff corps as prescribed by subsection (i) of this section each officer holding a permanent appointment in a staff corps of the Regular Navy who is on such lineal list may be permanently appointed to and regularly commissioned in such staff corps of the Regular Navy in the same permanent grade to which his running mate is permanently appointed pursuant to subsection (d) of this section: *Provided*, That each officer holding a permanent appointment in a staff corps of the Regular Navy who is on such lineal list and whose running mate does not hold a permanent appointment in the line of the Regular Navy may be permanently appointed to and regularly commissioned in such staff corps of the Regular Navy in the same permanent grade to which the permanently commissioned line officer of the Regular Navy next junior to his running mate is permanently appointed: *Provided further*, That each officer in any staff corps of the Naval Reserve on the lineal list established under subsection (i) of this section may be permanently appointed to and regularly commissioned in the same grade in the Naval Reserve to which his running mate is permanently appointed in the Regular Navy, and in the event that such running mate does not hold a permanent appointment in the line of the Regular Navy, such officer may be so permanently appointed to the same grade in the Naval Reserve to which the permanently commissioned line officers of the Regular Navy next junior to his running mate is permanently appointed: *Provided further*, That nothing contained in this subsection shall be construed to authorize the limitation upon (1) the number of rear admirals which may be appointed in any corps, (2) the number of captains which may be appointed in the Medical Service Corps, and (3) the number of commanders and lieutenant commanders which may be appointed in the Nurse Corps, to be exceeded: *Provided further*, That appointments made pursuant to this subsection shall not be subject to qualification by examination: *Provided further*, That all appointments to grades below that of rear admiral effected pursuant to this subsection shall be regarded as having been made with the advice and consent of the Senate: *And provided further*, That no provision of this title shall be construed to require the reappointment to a permanent grade of any officer who already holds a permanent appointment in such grade.

(k) Immediately after the establishment of the lineal list for each staff corps as prescribed by subsection (i) of this section each officer of a staff corps on such lineal list, exclusive of those serving on the date of establishment of such list under temporary appointment in a grade above rear admiral or in a grade to which appointed for a period of limited duration, may be temporarily appointed to the same grade to which his running mate is temporarily appointed pursuant to subsection (e) of this section: *Provided*, That the existing temporary appointment of an officer of any staff corps placed on the lineal list

established under subsection (i) of this section and who, on the date of establishment of such list is serving under a temporary appointment in a grade above rear admiral or in a grade to which appointed for a period of limited duration, is hereby continued in effect until such appointment shall terminate by its own terms or until such appointment is specifically terminated by the President whichever shall be earlier; upon such termination, such officer may be temporarily appointed to the same grade in which his running mate may be serving under a temporary appointment at such time: *Provided further*, That retired personnel of the Navy or Naval Reserve who are serving on active duty on the date of the establishment of the lineal list under a temporary appointment in the grade of ensign or above may be retained on active duty, and the existing temporary appointments of such personnel are hereby continued in effect until such appointments shall terminate by their own terms or until such appointments are specifically terminated by the President or until the officers concerned shall be placed on inactive duty, whichever may be earliest, and all such temporary appointments other than those for a period of limited duration may be affirmed by the President and upon such affirmation shall thereafter be considered as having been effected pursuant to this section; upon the termination of the temporary appointment and retention on active duty of any such officer who is so serving, but whose temporary appointment is one to a grade to which he is appointed for a period of limited duration, he may be temporarily appointed to the grade in which he would have been serving on the date of approval of this Act had he not been serving at that time under such temporary appointment in a grade to which appointed for a period of limited duration: *Provided further*, That each officer of a staff corps on such lineal list, who does not hold a permanent commission in the Regular Navy above the grade of commissioned warrant officer, and whose running mate holds a permanent appointment in the line of the Regular Navy, may be temporarily appointed to the highest grade, whether under a permanent or temporary appointment, in which his running mate is serving: *Provided further*, That members of any staff corps of the Fleet Reserve who are serving on active duty on the date of the establishment of the lineal list for such staff corps under a temporary appointment in the grade of ensign or above may be retained on active duty and the existing temporary appointments of such personnel are hereby continued in effect until such appointments shall terminate by their own terms or until such appointments are specifically terminated by the President or until the officers concerned shall be placed on inactive duty, whichever may be earliest, and all such temporary appointments other than those for a period of limited duration may be affirmed by the President and upon such affirmation shall thereafter be considered as having been effected pursuant to this section; upon the termination of the temporary appointment and retention on active duty of any such officer who is so serving, but whose temporary appointment is one to a grade to which he is appointed for a period of limited duration, he may be temporarily appointed to the grade in which he would have been serving on the date of approval of this Act had he not been serving at that time under such temporary appointment in a grade to which appointed for a period of limited duration: *Provided further*, That personnel of any staff corps of the Navy or Naval Reserve who are serving on active duty on the date of the establishment of the lineal list for such staff corps in grades above commissioned warrant officer, and who have never served in any such grade except under a temporary appointment in a grade to which appointed for a period of limited duration, may be retained on active duty and serve under such appointment until the termination thereof: *Provided*

Termination.

Retired personnel  
on active duty.

Fleet Reserve.

Personnel in grades  
above commissioned  
warrant officer.

Temporary appointment to higher grade.

Limitation upon numbers.

Affirmation of existing temporary appointment.

55 Stat. 603.  
34 U. S. C. §§ 350-350j.  
*Ante*, pp. 312, 313.

Completion of redistribution, etc.

Additional temporary appointments.

34 U. S. C. §§ 350-350j.  
*Ante*, pp. 312, 313.

Noneligibility.

Officers appointed subsequent to establishment of lineal list, etc.

*Ante*, p. 833.

Temporary promotions to grades above lieutenant (jg).

*further*, That no officer shall be temporarily appointed, pursuant to this subsection, to a higher grade than the grade held by him on the date of approval of this Act, exclusive of a temporary appointment in a grade above rear admiral or in a grade to which appointed for a period of limited duration: *Provided further*, That officers of any staff corps who are eligible to be temporarily appointed to any grade pursuant to this subsection may be so appointed notwithstanding receipt of a permanent appointment pursuant to subsection (j) of this section: *And provided further*, That nothing contained in this subsection shall be construed to authorize the limitation upon (1) the number of rear admirals, which may be temporarily appointed in any corps, (2) the number of captains which may be temporarily appointed in the Medical Service Corps, and (3) the number of commanders and lieutenant commanders which may be temporarily appointed in the Nurse Corps, to be exceeded.

(l) When, in effecting the temporary appointments contemplated by the preceding subsections of this section, it would otherwise be necessary to temporarily appoint an officer in a grade in which he is then serving by virtue of temporary appointment therein pursuant to authority contained in the Act approved July 24, 1941, as amended, the President is authorized to affirm the existing temporary appointment with such necessary readjustment of the date of rank and registered number of officers concerned as shall maintain for him the precedence evidenced by his position on the appropriate lineal list established pursuant to the provisions of this section. Upon such affirmation such appointment shall thereafter be considered as having been effected pursuant to authority contained in this section.

(m) Upon accomplishment of the provisions of subsections (a) through (k) of this section the redistribution of officers contemplated by said subsections shall be deemed completed and said subsections shall be deemed terminated.

(n) No additional temporary appointments in the naval service shall be effected pursuant to the authority of the Act of July 24, 1941 (55 Stat. 603), as amended, after the effective date of this Act, but nothing herein contained shall be held to impair the authority to make temporary appointments under that Act during any future war or national emergency.

(o) Officers of the line or of any staff corps who are on active duty on the date of the establishment of lineal lists pursuant to this section, but who are not placed on any such list, shall not be eligible for selection for promotion pursuant to this title: *Provided*, That officers of the line of the Regular Navy appointed thereto subsequent to the date of establishment of the lineal list of line officers as prescribed in subsection 304 (a) of this title shall be placed on such lineal list and officers of the line of the Naval Reserve assigned to active duty subsequent to such date shall be placed on such lineal list according to their length of active duty in the grade in which so assigned to active duty: *Provided further*, That officers of the staff corps of the Regular Navy appointed thereto subsequent to the date of establishment of the lineal list of line officers as prescribed in subsection 304 (a) of this title shall be placed on the lineal list of the appropriate staff corps and officers of the staff corps of the Naval Reserve assigned to active duty subsequent to such date shall be placed on such appropriate lineal list according to their length of active duty in the grade to which so assigned to active duty.

(p) All temporary promotions to grades above that of lieutenant (junior grade) in the line or Staff Corps of the Navy, including the promotion of those officers who are or may be carried on the Navy list as additional numbers in grade, shall be only upon the recommendation of a board of naval officers as herein prescribed.

(q) All permanent promotions shall be effected, from among officers temporarily promoted, in the manner prescribed in section 311 of this title.

Permanent promotions.  
*Post*, p. 852.

(r) Rear admirals of the line not restricted in the performance of duty, upon attaining the status of having completed at any time during any fiscal year at least four years of service in grade and at least thirty-four years of total commissioned service as defined in section 102 of title I of this Act, shall, subject to the provisions of subsection 307 (a) of this title, be continued on the active list only upon the recommendation of a board of naval officers convened in such fiscal year as prescribed in section 305.

Continuation on active list of designated rear admirals.

*Ante*, p. 798.  
*Post*, p. 842.

#### SELECTION BOARDS

SEC. 305. (a) The following provisions shall relate to line officers:

(1) A board for the recommendation of rear admirals for continuation on the active list shall consist of five rear admirals, or officers of higher grade, senior to any officer under consideration. Boards for the recommendation of officers for temporary promotion to the grades of rear admiral and captain, and for the recommendation of captains for continuation on the active list, shall consist of nine rear admirals, or officers of higher grade; a board for the recommendation of officers for temporary promotion to the grade of commander shall consist of three rear admirals and six captains; and boards for the recommendation of officers for temporary promotion to the grades of lieutenant commander and lieutenant shall consist of nine officers above the grade of commander. Whenever officers designated for engineering duty, aeronautical engineering duty, or special duty are eligible for consideration by a selection board for temporary promotion or for continuation on the active list, the Secretary of the Navy shall appoint, as alternate members of the appropriate selection board, three officers of the same designation and classification as any such eligible officer, and if there be not three available he shall so appoint such lesser number as shall be available, and the junior members who are not restricted in the performance of duty, in like number, shall not act upon the cases of officers, designated for engineering duty, aeronautical engineering duty, or special duty. No such alternate member shall act upon the cases of officers other than those of the same designation as himself. No officer designated for engineering duty, aeronautical engineering duty, or special duty shall act upon the cases of officers not restricted in the performance of duty.

Rear admirals and captains.

Commanders.

Lieutenant commanders and lieutenants.

Officers designated for engineering or special duty.

Restrictions.

(2) The officers composing these boards shall be officers on the active list of the Navy. No officer may be a member of two successive selection boards for the consideration of officers for promotion to the same grade, or for the consideration of officers for continuation on the active list in the same grade.

(3) These boards shall be appointed by the Secretary of the Navy and convened at least once each year and at such times as the Secretary of the Navy may direct.

Appointment, etc.

(b) The following provisions shall relate to staff officers:

(1) A board for the recommendation of officers for temporary promotion to the grade of rear admiral, and for the recommendation of captains for continuation on the active list, shall consist of not less than three nor more than nine rear admirals of the corps concerned. Boards for the recommendation of officers for temporary promotion to the grades of captain and commander, except with respect to officers of the Medical Service Corps and of the Nurse Corps, shall consist of not less than six nor more than nine officers of the corps concerned of the grade of captain or above. Boards for the recommendation of officers for temporary promotion to the grades of lieutenant commander and lieutenant, except with respect to officers of the Medical Service Corps and

Rear admirals and captains.

Captains and commanders.

Lieutenant commanders and lieutenants.

of the Nurse Corps, shall consist of not less than six nor more than nine officers of the corps concerned above the grade of commander.

Detail of officers of  
the line.

(2) The officers composing these boards shall be officers on the active or retired list of the Navy. In case there be not a sufficient number of officers of the corps concerned legally or physically capacitated to serve on a selection board of such corps, officers of the line on the active list of equivalent rank may be detailed to duty on such board to constitute the required minimum membership.

Officers of Medical  
Service and Nurse  
Corps.

(3) Boards for the recommendation of officers of the Medical Service Corps and of the Nurse Corps for temporary promotion to grades above lieutenant (junior grade) shall be composed of not less than six nor more than nine officers above the grade of commander on the active or retired list of the Medical Corps: *Provided*, That in case there be not a sufficient number of officers of the Medical Corps legally or physically capacitated to serve on such a selection board, officers of the line of the active list of the grade of captain may be detailed to duty on such board to constitute the required minimum membership.

Detail of officers of  
the line.

Restriction.

(4) No officer may be a member of two successive selection boards for the consideration of officers for promotion to the same grade, or for the consideration of officers for continuation on the active list in the same grade.

Appointment of  
boards, etc.

(5) The boards prescribed in subsection (b) of this section shall be appointed by the Secretary of the Navy and convened at least once each year at a time as soon as practicable after the report of a corresponding board for the selection of line officers has been approved by the President, and at such times as the Secretary of the Navy may direct: *Provided*, That a selection board to recommend officers of the Medical Service Corps for temporary promotion to the grade of captain or officers of the Nurse Corps for temporary promotion to the grade of commander or lieutenant commander shall be convened only if there exists a vacancy in the grade concerned or if the Secretary of the Navy estimates or determines that a vacancy will occur in the ensuing twelve-month period.

#### OATH FOR MEMBERS OF SELECTION BOARDS

SEC. 306. Each member of a board provided for in section 305 of this title shall swear, or affirm, that he will, without prejudice or partiality, and having in view both the special fitness of officers and the efficiency of the naval service, perform the duties imposed upon him as herein provided.

#### ELIGIBILITY OF OFFICERS FOR CONSIDERATION BY SELECTION BOARDS

Rear admirals.

SEC. 307. (a) The following provision shall relate to line officers:

(1) Rear admirals, not restricted in the performance of duty, who, subsequent to June 30 of the fiscal year preceding that in which the first selection board is convened pursuant to this title to recommend officers of that grade for continuation on the active list, attain the status of having completed four years of service in grade and thirty-four years of total commissioned service, shall become eligible for consideration for such recommendation by such board convened in the fiscal year in which they first attain such status: *Provided*, That a rear admiral who shall have lost numbers or precedence at any time shall become eligible for such consideration in the fiscal year in which the most senior rear admiral junior to him who has not lost numbers or precedence becomes eligible therefor: *Provided further*, That such eligibility shall continue until the officer concerned shall have been selected for continuation on the active list or until he shall have twice failed of such selection, whichever shall occur earlier.

(2) Captains designated for engineering duty, aeronautical engineering duty, or special duty, within the following categories shall be eligible for consideration by a selection board for recommendation for continuation on the active list: (1) Those who have twice failed of selection for temporary promotion to rear admiral, and (2) those who have failed of selection for temporary promotion to rear admiral in the immediately preceding year and who are not recommended for temporary promotion by the selection board concerned: *Provided*, That such captains who will complete thirty-five years' total commissioned service or who will attain the age of sixty-two years in the fiscal year in which such board is convened will not be eligible for consideration for continuation on the active list.

Captains designated for engineering or special duty.

(3) Officers shall be eligible for consideration by a selection board for temporary promotion to the next higher grade when they will have completed, on June 30 of the fiscal year of the convening of the appropriate board, the following periods of service in the grades in which they are serving: Captains, three years; commanders, five years; lieutenant commanders and lieutenants, four years; lieutenants (junior grade), two years. Service in grade shall include all service in that or a higher grade whether under temporary or permanent appointment therein. An officer in any grade who shall become eligible for such consideration shall, regardless of failure or failures of selection for such promotion, remain so eligible while on the active list: *Provided*, That officers whose names are on the temporary-promotion list for any grade on the date of the convening of the board shall not be considered for the same grade by the board.

Temporary promotion to next higher grade, etc.

(4) Of the officers, in any grade, designated for limited duty, who would otherwise be eligible for consideration for temporary promotion pursuant to the provisions of paragraph (3) of this subsection, only the junior officer in the promotion zone for officers designated for limited duty and officers senior to him in the grade concerned shall be eligible for such consideration.

Officers designated for limited duty.

(5) Service under an appointment for a period of limited duration only while serving on a specified duty assignment shall, for the purposes of this section, be considered only as service in the grade which the officer concerned would have held under temporary appointment but for such service in a higher grade.

(b) The following provisions shall relate to staff officers:

(1) Captains within the following categories shall be eligible for consideration by a selection board for recommendation for continuation on the active list: (1) Those who have twice failed of selection for temporary promotion to rear admiral, and (2) those who have failed of selection for temporary promotion to rear admiral in the immediately preceding year and who are not recommended for temporary promotion by the selection board concerned: *Provided*, That such captains who will complete thirty-five years' total commissioned service or who will attain the age of sixty-two years in the fiscal year in which such board is convened will not be eligible for consideration for continuation on the active list.

Captains.

(2) An officer in any grade, except captains in the Medical Service Corps and commanders in the Nurse Corps, shall become eligible for consideration by a selection board for temporary promotion to the next higher grade when his running mate becomes eligible for such selection, except that officers of the Medical, Dental, Medical Service, and Chaplain Corps in the grades of lieutenant (junior grade) and lieutenant, and officers of the Nurse Corps in the grade of lieutenant (junior grade), shall not be eligible for such selection unless they are in the promotion zone in such grade or are senior to the officers in the promotion zone of the grade in which they are serving. An officer in any grade who shall become eligible for such consideration shall,

Temporary promotion to next higher grade.



regardless of failure or failures of selection for such promotion, remain so eligible while on the active list: *Provided*, That officers whose names are on the temporary promotion list for any grade on the date of the convening of the board shall not be considered for the same grade by the board.

Officers designated  
for limited duty.

(3) Of the officers, in any grade in any corps, designated for limited duty, who would otherwise be eligible for consideration for temporary promotion pursuant to the provisions of paragraph (2) of this subsection, only the officer in that corps whose running mate is the junior officer in the promotion zone for line officers designated for limited duty and officers in that corps senior to him in the grade concerned shall be eligible for such consideration.

#### INFORMATION TO BE FURNISHED SELECTION BOARDS

SEC. 308. (a) The following provisions shall relate to line officers:

(1) The Secretary of the Navy shall furnish the appropriate selection board with (1) the number of officers not restricted in the performance of duty, the number of officers designated for engineering duty, the number of officers designated for aeronautical engineering duty, the number of officers designated for special duty, and the number of officers designated for limited duty, which the board may recommend for temporary promotion to the next higher grade; (2) the names of all officers eligible for consideration for temporary promotion to each grade or grades to which the board will recommend officers for temporary promotion; (3) the number of rear admirals not restricted in the performance of duty which the board may recommend for continuation on the active list; (4) the names of all rear admirals eligible for consideration for continuation on the active list; (5) the number of captains designated for engineering duty, the number of captains designated for aeronautical engineering duty, and the number of captains designated for special duty, which the board may recommend for continuation on the active list; (6) the names of all captains eligible for consideration for continuation on the active list; (7) the records of all officers whose names are furnished to a board; and (8) the names of officers in the respective promotion zones in the grade or grades under consideration for temporary promotion.

Number in respect  
to temporary promo-  
tion.  
Officers not restrict-  
ed in duty.

(2) The number to be furnished the board in respect to the temporary promotion of officers not restricted in the performance of duty shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be equal to the number of vacancies existing among such officers in each grade for temporary promotion to which the board will recommend such officers plus the estimated number of such vacancies which will occur during the ensuing twelve-month period and minus the number of such officers then on the promotion list.

Officers designated  
for limited duty.

(3) The number to be furnished the board in respect to the temporary promotion of officers designated for limited duty shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be equal to the number of vacancies existing among such officers in each grade for temporary promotion to which the board will recommend such officers plus the estimated number of such vacancies which will occur during the ensuing twelve-month period and minus the number of such officers then on the promotion list.

Officers designated  
for engineering or spe-  
cial duty.

(4) The numbers to be furnished the board in respect to the temporary promotion of officers designated for engineering duty, aeronautical engineering duty, or special duty to the grade of rear admiral shall be determined by the Secretary of the Navy as of the date of the

convening of the board. Their total shall be equal to the number of vacancies existing among such officers in the grade of rear admiral plus the estimated number of such vacancies which will occur during the ensuing twelve-month period and minus the number of such officers then on the promotion list. Within and to such total the Secretary of the Navy shall allocate such numbers to any or all of the named categories as he shall determine to be necessary to meet the requirements of the Navy.

(5) The number to be furnished the board in respect to the temporary promotion of officers designated for engineering duty from a grade below captain shall be determined by the Secretary of the Navy as of the date of the convening of the board as necessary to meet the needs of the service. Such number shall not exceed the number of such officers in the promotion zone in the grade concerned nor be less than the product of that number and a fraction which for each such grade shall have as its numerator a number equal to the number of line officers in the same grade, not restricted in the performance of duty, which may be recommended for temporary promotion to the next higher grade in the same fiscal year, and as its denominator a number equal to the number of line officers, not restricted in the performance of duty, in the promotion zone of the grade concerned in such year.

Officers designated  
for engineering duty.

(6) The number to be furnished the board in respect to the temporary promotion of officers designated for aeronautical engineering duty from a grade below captain shall be determined by the Secretary of the Navy as of the date of the convening of the board as necessary to meet the needs of the service. Such number shall not exceed the number of such officers in the promotion zone in the grade concerned nor be less than the product of that number and a fraction which for each such grade shall have as its numerator a number equal to the number of line officers in the same grade, not restricted in the performance of duty, which may be recommended for temporary promotion to the next higher grade in the same fiscal year, and as its denominator a number equal to the number of line officers, not restricted in the performance of duty, in the promotion zone of the grade concerned in such year.

Officers designated  
for aeronautical en-  
gineering duty.

(7) The number to be furnished the board in respect to the temporary promotion of officers designated for special duty from a grade below captain shall be determined by the Secretary of the Navy as of the date of the convening of the board as necessary to meet the needs of the service. Such number shall not exceed the number of such officers in the promotion zone in the grade concerned nor be less than the product of that number and a fraction which for each such grade shall have as its numerator a number equal to the number of line officers in the same grade, not restricted in the performance of duty, which may be recommended for temporary promotion to the next higher grade in the same fiscal year, and as its denominator a number equal to the number of line officers, not restricted in the performance of duty, in the promotion zone of the grade concerned in such year.

Officers designated  
for special duty.

(8) The number to be furnished the board in respect to rear admirals not restricted in the performance of duty to be continued on the active list shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be computed by dividing the authorized number of such rear admirals by three and subtracting from the quotient thus obtained the number of such rear admirals, exclusive of those who have once failed of selection for such continuation, who shall have completed prior to the end of the preceding fiscal year four years of service in that grade and thirty-four years of total commissioned service, as defined in section 102 of title I of

Rear admirals not  
restricted in duty.

*Ante*, p. 798.

this Act, which it is estimated will remain on the active list at the end of the current fiscal year: *Provided*, That the number to be so furnished shall not be less than 50 per centum of the number of rear admirals, exclusive of those who have once failed of selection for such continuation, eligible for consideration by the board for continuation on the active list.

Captains designated  
for engineering or spe-  
cial duty.

Post, p. 858.

Promotion zones.  
Officers not restrict-  
ed in duty.

(9) The number to be furnished the board in respect to captains designated for engineering duty, aeronautical engineering duty, or special duty to be continued on the active list shall be such a number in each case not to exceed in each instance the number prescribed in section 312 of this title, as the Secretary of the Navy shall determine to be necessary to meet the requirements of the Navy.

(10) The promotion zone in any grade for officers not restricted in the performance of duty, shall be established by the Secretary of the Navy as of the date of the convening of a selection board to consider officers of that grade for recommendation for temporary promotion to the next higher grade. It shall consist of that number of the most senior such officers of the grade under consideration, who are eligible for selection for temporary promotion to the next higher grade and have not previously failed of such selection, which must be either selected for temporary promotion by the particular board or be considered as having failed of such selection, in order to maintain a flow of promotion consistent with the terms of service set out in paragraph (13) of this subsection and to best assure to individuals in succeeding years equality of opportunity for temporary promotion. The number shall be determined by the Secretary of the Navy and shall be based upon a consideration of the estimated number of vacancies which will occur in the next higher grade for each of the ensuing five years, the number of such officers who will be eligible for selection, and the terms of service which they will have completed.

Officers below grade  
of captain designated  
for engineering duty,  
etc.

(11) The promotion zones in any grade, below that of captain, for officers designated for engineering duty, for officers designated for aeronautical engineering duty, and for officers designated for special duty, shall each be composed of all officers of each such designation in the grade who have not previously failed of selection to the next higher grade and who are senior to the junior officer in the promotion zone determined as provided in paragraph (10) of this subsection.

Officers designated  
for limited duty.

(12) The promotion zone in any grade for officers designated for limited duty, shall be established by the Secretary of the Navy as of the date of the convening of a selection board to consider officers of that grade for recommendation for temporary promotion to the next higher grade. It shall consist of that number of the most senior such officers of the grade under consideration, who are eligible for selection for temporary promotion to the next higher grade and have not previously failed of such selection, which must be either selected for temporary promotion by the particular board or be considered as having failed of such selection, in order to maintain a flow of promotion consistent with the terms of service set out in paragraph (14) of this subsection and to best assure to individuals in succeeding years equality of opportunity for temporary promotion. The number shall be determined by the Secretary of the Navy and shall be based upon a consideration of the estimated number of vacancies which will occur in the next higher grade for each of the ensuing five years, the number of such officers who will be eligible for selection, and the terms of service which they will have completed.

Normal terms of  
service.

(13) The normal terms of service of officers, others than officers designated for limited duty, in the various grades below rear admiral shall be:

Grade	Service in grade	Total commissioned service
Captains -----	5 years	30 years
Commanders -----	7 years	25 years
Lieutenant commanders -----	6 years	18 years
Lieutenants -----	6 years	12 years
Lieutenants (junior grade) -----	3 years	6 years

(14) The normal terms of service in grade of officers designated for limited duty in the various grades below that of commander shall be the same as those set out in paragraph (13) of this subsection.

(b) The following provisions shall relate to staff officers:

(1) The Secretary of the Navy shall furnish the appropriate selection board with (1) the number of officers not restricted in the performance of duty and the number of officers designated for limited duty which the board may recommend for temporary promotion to the next higher grade; (2) the names of all officers eligible for consideration for temporary promotion; (3) the number of captains which the board may recommend for continuation on the active list; (4) the names of captains eligible for consideration for continuation on the active list; (5) the records of all officers whose names are furnished to a board; and (6) the names of officers in the respective promotion zones in the grade or grades under consideration for temporary promotion.

Temporary promotions.

Continuation of captains on active list.

Records of officers.

Captains and commanders.

(2) The number to be furnished the board in respect to the temporary promotion of officers not restricted in the performance of duty to the grades of captain and commander, except with respect to the temporary promotion of officers of the Medical Service Corps to the grade of captain and of officers of the Nurse Corps to the grade of commander, shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be a fraction of the number of officers in the promotion zone in the grade and in the corps concerned. The numerator of this fraction shall be a number equal to the number of officers not restricted in the performance of duty placed upon the promotion list pursuant to the report of the comparable board for the selection of line officers convened in the same fiscal year. The denominator of this fraction shall be a number equal to the number of officers, not restricted in the performance of duty, in the promotion zone considered by said board for the selection of line officers.

Officers designated for limited duty.

(3) The number to be furnished the board in respect to the temporary promotion of officers designated for limited duty shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be a fraction of the number of such officers in the promotion zone in the grade and in the corps concerned. The numerator of this fraction shall be a number equal to the number of officers designated for limited duty placed upon the promotion list pursuant to the report of the comparable board for the selection of line officers convened in the same fiscal year, the denominator of this fraction shall be a number equal to the number of officers designated for limited duty in the promotion zone considered by said board for the selection of line officers.

Officers of Supply and Civil Engineer Corps.

(4) The numbers to be furnished the board in respect to the temporary promotion of officers of the Supply Corps and Civil Engineer Corps not restricted in the performance of duty to the grades of lieutenant commander and lieutenant shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be a fraction of the number of such officers in the promotion zone in the grade and in the corps concerned. The numerator of this fraction shall be a number equal to the number of officers not restricted in the performance of duty placed upon the promotion list pursuant to the

report of the comparable board for the selection of line officers convened in the same fiscal year. The denominator of this fraction shall be a number equal to the number of officers, not restricted in the performance of duty, in the promotion zone considered by said board for the selection of line officers.

Lieutenant commanders and lieutenants.

(5) The numbers to be furnished the board in respect to the temporary promotion of officers, except officers of the Supply Corps, Civil Engineer Corps, and Nurse Corps to the grades of lieutenant commander and lieutenant shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be equal to the number of such officers in the promotion zones in the grades of lieutenant and lieutenant (junior grade), respectively.

Officers of Medical Service Corps.

(6) The number to be furnished the board in respect to the temporary promotion of officers of the Medical Service Corps to the grade of captain shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be equal to the difference between the allowed number of officers in that grade and the actual number of officers therein plus the number of officers estimated to be separated from that grade during the ensuing twelve-month period and minus the number of commanders then on the promotion list.

Officers of Nurse Corps.

(7) The number to be furnished the board in respect to the temporary promotion of officers of the Nurse Corps to the grades of commander and lieutenant commander shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall, for each grade, be equal to the difference between the allowed number of officers in the grade and the actual number therein plus the number of officers estimated to be separated from the grade during the ensuing twelve-month period and minus the number of officers in the next lower grade then on the promotion list.

(8) The number to be furnished the board in respect to the temporary promotion of officers of the Nurse Corps to the grade of lieutenant shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be equal to the number of lieutenants (junior grade) in that corps in and senior to the promotion zone, minus the number of lieutenants (junior grade) then on the promotion list.

Captains.

(9) The number to be furnished the board in respect to the temporary promotion of captains to the grade of rear admiral shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be equal to the number of vacancies existing in the grade of rear admiral plus the estimated number of such vacancies which will occur during the ensuing twelve-month period and minus the number of captains then on the promotion list.

(10) The number to be furnished the board in respect to captains to be continued on the active list shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be such a number in each case not to exceed in each instance the number prescribed in subsection 312 (b) of this title, as the Secretary of the Navy shall determine to be necessary to meet the requirements of the Navy.

*Post*, p. 858.

Officers deemed in promotion zone.

(11) An officer in any grade, not restricted in the performance of duty, who has not failed of selection for temporary promotion to the next higher grade, shall be deemed to be in the promotion zone when his running mate in the same grade has been determined to be in the promotion zone of officers not restricted in the performance of duty in that grade.

(12) An officer in any grade, designated for limited duty, who has not failed of selection for temporary promotion to the next higher grade, shall be deemed to be in the promotion zone when his running mate in the same grade has been determined to be in the promotion zone of officers designated for limited duty.

(c) The following provisions shall relate to all officers:

(1) Any officer eligible for consideration by a selection board shall have the right to forward through official channels at any time not later than ten days after the convening of said board a written communication inviting attention to any matter of record in the Navy Department concerning himself which he deems important in the consideration of his case: *Provided*, That such communication shall not contain any reflection upon the character, conduct, or motives of or criticism of any officer.

Right of officer to forward communication concerning himself.

#### DUTIES OF SELECTION BOARDS

SEC. 309. (a) The following provisions shall relate to line officers:

(1) From among those officers who are eligible for consideration for temporary promotion, each board shall recommend for temporary promotion those officers holding permanent appointments in the grades of ensign and above in the Regular Navy whom it considers best fitted for temporary promotion, and those officers not holding permanent appointments in the grades of ensign and above in the Regular Navy whom it considers qualified for continued active duty: *Provided*, That from among eligible officers holding permanent appointments in the grades of ensign and above in the Regular Navy who are junior in lineal rank to the junior officer in the appropriate promotion zone in a grade below that of captain, the board may not recommend as best fitted for temporary promotion, a number exceeding 5 per centum of the total number of officers that the board is authorized to recommend for temporary promotion to the grade concerned or, if such 5 per centum shall not equal the whole number one, a number exceeding one: *Provided further*, That the total number of officers holding permanent appointments in the Regular Navy plus the number of officers not holding permanent appointments in the Regular Navy which may be recommended for temporary promotion in each grade shall not exceed the number furnished the board concerned by the Secretary of the Navy as provided in section 308 of this title: *Provided further*, That in each grade the junior officer in a promotion zone and all officers of his category senior to him in lineal rank who are eligible for consideration shall, if not selected for temporary promotion, be considered as having failed of selection for temporary promotion, and no such officer junior in lineal rank to said junior officer in said promotion zone shall, if not selected for temporary promotion, be considered as having failed of selection for temporary promotion: *Provided further*, That any captain designated for engineering duty, aeronautical engineering duty, or special duty, shall if not on the promotion list for the grade of rear admiral on June 30 of the fiscal year in which he completes thirty years of total commissioned service, as defined in section 102 of title I of this Act, be held for all purposes to have once failed of selection for temporary promotion, and if not on such list on June 30 of the succeeding year shall, subject to the provisions of subsection 311 (c) of this title, be held for all purposes to have twice failed of selection for temporary promotion, and no such officer shall be held to have failed of selection for temporary promotion solely by reason of the approved recommendation for temporary promotion of any officer junior to him: *Provided further*, That an officer who has lost numbers or precedence shall not be held to have completed the service prescribed in the preceding proviso until he completes five years of service in the grade of captain: *And provided further*, That the status of having once failed of selection for temporary promotion shall not be considered as prejudicial to an officer with respect to his qualifications, his fitness for the naval service, or his eligibility for selection by the next succeeding selection board.

Recommendations for temporary promotion.

Failure of selection.

Captains designated for engineering or special duty.

*Ante*, p. 793.

*Post*, p. 853.

Loss of numbers, etc.

Nonprejudicial status.

Continuation on active list.  
Rear admirals.

*Ante*, p. 844.

Captains designated for engineering or special duty.

*Ante*, p. 844.

Basis of recommendation.

Temporary promotions.

Restriction.

Officers not holding permanent appointments.

*Ante*, p. 844.

Failure of selection.

(2) From among those rear admirals not restricted in the performance of duty who are eligible for consideration for continuation on the active list, the board shall recommend for such continuation those officers whom it considers best fitted for continued service on the active list, in number equal to the number furnished the board by the Secretary of the Navy as provided in section 308 of this title.

(3) From among those captains designated for engineering duty, aeronautical engineering duty, or special duty who are eligible for consideration for continuation on the active list, the board shall recommend for such continuation those officers, of each such category, whom it considers best fitted for continued service on the active list, in number not exceeding the number furnished the board by the Secretary of the Navy, with respect to that category, as provided in section 308 of this title.

(4) The recommendation of the board in respect to the temporary promotion of officers who are now or may hereafter be designated for engineering duty, aeronautical engineering duty, special duty, or limited duty, shall be based upon their comparative fitness, within such categories, for the duties prescribed for them by law.

(b) The following provisions shall relate to staff officers:

(1) From among those officers holding permanent appointments in the Regular Navy who are eligible for consideration for temporary promotion, each board shall recommend for temporary promotion those officers, if of the grade of lieutenant commander or above, or if designated for limited duty in grades above ensign, whom it considers best fitted for temporary promotion, and, if of the grade of lieutenant or lieutenant (junior grade) in the Supply and Civil Engineer Corps or if of the grade of lieutenant in the Nurse Corps, those whom it considers best fitted for temporary promotion, or, if of the grade of lieutenant or lieutenant (junior grade) in the Medical Corps, Chaplain Corps, Civil Engineer Corps, Dental Corps, or Medical Service Corps, or of the grade of lieutenant (junior grade) in the Nurse Corps, those whom it considers fitted for temporary promotion: *Provided*, That from among eligible officers holding permanent appointments in the grades of ensign and above in the Regular Navy who are junior in lineal rank to the junior officers in the appropriate promotion zone in a grade below that of captain, the board may not recommend as best fitted for temporary promotion, a number exceeding 5 per centum of the total number of officers that the board is authorized to recommend for temporary promotion to the grade concerned or, if such 5 per centum shall not equal the whole number one, a number exceeding one: *Provided further*, That from among those eligible officers not holding permanent appointments in the Regular Navy the board shall recommend for temporary promotion those whom it considers qualified for continued active duty: *Provided further*, That the total number of officers holding permanent appointments in the Regular Navy plus the number of officers not holding permanent appointments in the Regular Navy which may be recommended for temporary promotion in each grade shall not exceed the number furnished the board concerned by the Secretary of the Navy as provided in section 308 of this title: *Provided further*, That in each grade, except with respect to lieutenant commanders and lieutenants of the Nurse Corps, the junior officer in a promotion zone and all officers of his category senior to him in lineal rank who are eligible for consideration shall, if not selected for temporary promotion, be considered as having failed of selection for temporary promotion, and no such officer junior in lineal rank to said junior officer in said promotion zone shall, if not selected for temporary promotion, be considered as having failed of selection for temporary promotion:

*And provided further*, That the status of having once failed of selection for temporary promotion shall not be considered as prejudicial to any officer with respect to his qualifications, his fitness for the naval service, or his eligibility for selection by the next succeeding selection board.

Nonprejudicial status.

(2) From among those captains who are eligible for consideration for continuation on the active list, the board shall recommend for such continuation those officers whom it considers best fitted for continued service on the active list, in numbers not exceeding the numbers furnished the board by the Secretary of the Navy as provided in section 308 of this title.

Continuation of captains on active list.

(3) The recommendation of the board in respect to the promotion of officers designated for limited duty shall be based upon their comparative fitness, within such category, for the duties prescribed for them by law.

*Ante*, p. 844.

Basis of recommendation.

(c) The following provisions shall relate to all officers:

(1) All reports or recommendations of a selection board under any provision of this title shall require the concurrence of at least two-thirds of the acting members: *Provided*, That the report or recommendations of a board composed of five acting members or less shall require the concurrence of at least a majority of the acting members.

Reports, etc., of board.

(2) The selection board shall also report the names of any officers among those eligible for consideration and of less than twenty years' service whose reports and records in its opinion indicate their unsatisfactory performance of duty in their present grades and in its opinion indicate that they would not satisfactorily perform the duties of a higher grade.

#### REPORTS OF SELECTION BOARDS

SEC. 310. (a) The report of the board shall be in writing, signed by all of the acting members thereof, and shall certify that the board has carefully considered the case of every officer whose name was furnished to the board by the Secretary of the Navy, as provided in section 308 of this title, and that, in the opinion of at least two-thirds of the acting members, the officers holding permanent appointments above the grade of commissioned warrant officers in the Regular Navy, if line officers, or if of the grade of lieutenant or lieutenant (junior grade) in the Supply Corps or Civil Engineer Corps, or if of the grade of lieutenant in the Nurse Corps, are, subject to the limitations prescribed in section 309 of this title, selected as the best fitted to assume the duties of the next higher grade, and, if of the grade of lieutenant or lieutenant (junior grade) in the Medical Corps, Chaplain Corps, Dental Corps, or Medical Service Corps, or if of the grade of lieutenant (junior grade) in the Nurse Corps, are selected as fitted to assume the duties of the next higher grade, and if officers of any grade in the line or staff corps who do not hold permanent appointments above the grade of commissioned warrant officer in the Regular Navy, are selected as qualified for continued active duty: *Provided*, That the recommendation of the board in the cases of officers who are now or may hereafter be designated for engineering duty, aeronautical engineering duty, special duty, or limited duty, shall be based upon their comparative fitness, within such categories, as prescribed in section 309 of this title.

*Ante*, p. 844.

*Ante*, p. 849.

(b) The report of a board convened to recommend rear admirals or captains for continuation on the active list shall certify that, in the opinion of at least two-thirds of the acting members, if the board has more than five acting members, and, if the board has five acting members or less, in the opinion of at least a majority of the acting members, the officers therein recommended are selected as the best fitted for continued service on the active list.

Continuation of rear admirals and captains on active list.



Submission to President.

(c) The report of the board shall be submitted to the President for approval or disapproval: *Provided*, That in case any officer or officers recommended by the board for temporary promotion, or, in the case of rear admirals or captains, for continuation on the active list, be not acceptable to the President, the board shall be informed of the name of such officer or officers and shall recommend a number of officers for temporary promotion or for continuation on the active list, as the case may be, equal to the number of those found not acceptable to the President, and, if necessary, the board shall be reconvened for this purpose.

#### TEMPORARY PROMOTIONS AND PERMANENT APPOINTMENTS

Promotion list.

SEC. 311. (a) The following provisions shall relate to line officers:

(1) Officers recommended for temporary promotion in the report of a selection board, as approved by the President, shall be regarded as having been selected for temporary promotion and their names shall be placed upon a promotion list for the grade for which selected in the order of their seniority at the time of approval of such report except that the names of officers selected in a later report shall be placed upon the promotion list after those selected for temporary promotion to the same grade in an earlier report. Temporary promotions to fill vacancies in any grade shall be made from among officers of the next lower grade whose names appear on the promotion list. Officers not restricted in the performance of duty whose names appear on the promotion list shall, in the order in which their names appear thereon, become eligible for temporary promotion to the next higher grade as vacancies therein occur among officers of the same category. Officers designated for limited duty whose names appear on the promotion list shall, in the order in which their names appear thereon, become eligible for temporary promotion to the next higher grade as vacancies therein occur among officers of the same designation. Captains designated for engineering duty, aeronautical engineering duty, or special duty whose names appear on the temporary promotion list shall, in the order in which their names appear thereon, become eligible for temporary promotion to the grade of rear admiral as vacancies therein occur among officers of such categories. An officer designated for engineering duty, aeronautical engineering duty, or special duty of a grade below captain whose name appears on a promotion list, shall, subject to the provisions of subsections 303 (c), (d), and (e) of this title, be eligible for temporary promotion to the next higher grade when the officer not restricted in the performance of duty whose name appears next below his on the promotion list becomes eligible for temporary promotion.

*Ante*, p. 831.

Temporary promotion.

(2) Upon temporary promotion to a higher grade an officer shall be assigned such date of rank and registered number as will assure him precedence in accordance with the order in which his name appeared on the promotion list for that grade and shall be entitled to the pay and allowances of the higher grade from the date of the occurrence of the vacancy which he is temporarily promoted to fill: *Provided*, That an officer below the grade of captain designated for engineering duty, aeronautical engineering duty, or special duty except one temporarily promoted to fill a vacancy after delay in promotion occasioned by operation of subsection 303 (c), (d), or (e) of this title, shall, upon temporary promotion, be entitled to the pay and allowances of the grade to which temporarily promoted from the date upon which he became eligible for temporary promotion.

*Ante*, p. 831.

Sea or foreign service.

(3) On or after July 1, 1949, no officer holding a permanent commission in the Regular Navy above the grade of commissioned warrant officer shall be temporarily promoted to a grade above lieutenant unless

he has had not less than two years' sea or foreign service in the grade in which serving and on the promotion list for that grade: *Provided*, That the qualification of sea or foreign service shall not apply to officers restricted by law to the performance of engineering duty only, aeronautical engineering duty only, or special duty only: *And provided further*, That the Secretary of the Navy shall determine the types of duty which may be counted for the purposes of this paragraph.

(b) The following provisions shall relate to staff officers:

(1) Officers recommended for temporary promotion to a grade below rear admiral in the report of a selection board, as approved by the President, shall be regarded as having been selected for temporary promotion and their names shall be placed upon a promotion list for the grade concerned. Each such officer, except a commander of the Medical Service Corps or a lieutenant commander or lieutenant of the Nurse Corps, shall become eligible for temporary promotion to the grade for which selected when the line officer who, pursuant to subsection (d) of this section, is to be his running mate in the higher grade becomes eligible for temporary promotion to that grade. When temporarily promoted, the staff officer shall be assigned the same date of rank which has been or, in due course, will be given to such running mate in such higher grade and, except officers of the Medical Service Corps temporarily promoted to the grade of captain and officers of the Nurse Corps temporarily promoted to the grades of commander and lieutenant commander, shall be entitled to the pay and allowances of the higher grade from the date upon which such running mate became eligible for temporary promotion thereto.

Temporary promotions.  
Grades below rear admiral.

(2) Temporary promotion to fill vacancies in the grade of captain in the Medical Service Corps and to the grades of commander and lieutenant commander in the Nurse Corps shall be made from among officers whose names appear on the promotion list for the grade concerned. When so promoted each such officer shall have the same date of rank which has been, or in due course will be, given the line officer who is to be his running mate in the grade to which promoted, but no increased pay or allowances shall accrue to such officer by virtue of his temporary promotion prior to the date of occurrence of the vacancy which he is promoted to fill or prior to the date of his selection for promotion, whichever shall be later.

(3) The names of officers recommended by a board for temporary promotion to the grade of rear admiral, and approved by the President, shall be placed upon a promotion list and temporary promotions to fill vacancies shall be made from officers whose names appear on the promotion list: *Provided*, That when so promoted each such officer shall have the same date of rank given to the running mate assigned him in the grade of rear admiral upon the running mate's temporary promotion to that grade: *Provided further*, That if such running mate shall not have been promoted, the staff officer shall be given as his date of rank the date of the occurrence of the vacancy which he is promoted to fill until such running mate shall have been promoted to the grade of rear admiral, at which time the staff officer shall be given a new commission with the same date of rank given to such running mate upon the latter's temporary promotion to rear admiral: *And provided further*, That each staff officer promoted to the grade of rear admiral shall be entitled to the pay and allowances of that grade only from the date of the occurrence of the vacancy which he is promoted to fill.

Rear admirals.

Date of rank.

Pay and allowances.

(c) The following provisions shall relate to line and staff officers as indicated:

(1) The President may remove the name of any officer of the line or of a staff corps from the promotion list. An officer whose name is so removed from the promotion list or one whose appointment is

Removal from promotion list.

Replacement.

rejected by the Senate, shall continue to be eligible for consideration for recommendation for temporary promotion: *Provided*, That the next ensuing selection board may recommend the officer concerned for temporary promotion, and thereupon, with the approval of the President, the name of such officer shall be replaced on the promotion list, without prejudice by reason of its having been temporarily removed therefrom, and when temporarily promoted such officer shall take the same lineal rank and date of rank that he would have had had his name not been so removed: *And provided further*, That if such officer is not so recommended by such next ensuing selection board or if the President shall again remove his name from the promotion list or if the Senate shall again reject his appointment, he shall be held for all purposes to have twice failed of selection for temporary promotion.

Authority to fill vacancies.

*Ante*, p. 798.

(2) The President is authorized to fill vacancies in any grade in the line of the Regular Navy, as determined by the computations made pursuant to the provisions of section 103 of title I of this Act, by permanently appointing thereto and regularly commissioning therein officers holding permanent appointments in the line of the Regular Navy in grades above commissioned warrant officer who are serving in that grade under temporary appointments or who are on the promotion list for temporary appointment therein, but no such officer may be permanently appointed to the grade of captain prior to the fiscal year in which he and all such officers senior to him on the lineal list will have completed eighteen years total commissioned service as defined in subsection 102 (d) of title I of this Act: *Provided*, That such officers shall be so appointed in order of their seniority on the lineal list: *Provided further*, That for the purposes of this paragraph the order of seniority on the lineal list of officers on the promotion list shall be regarded as the order in which their names were placed on the promotion list: *And provided further*, That all such appointments shall be made by and with the advice and consent of the Senate.

*Ante*, p. 798.

Rear admiral.

*Ante*, p. 816.

(3) The President is authorized to fill vacancies in the grade of rear admiral in any staff corps, as determined by the computations made pursuant to the provisions of section 203 of title II of this Act, by permanently appointing thereto and regularly commissioning therein officers of the corps concerned holding permanent appointments in the Regular Navy who are serving in that grade under temporary appointment or who are on the promotion list for temporary appointment therein: *Provided*, That such officers shall be so appointed in the order of their seniority on the lineal list: *Provided further*, That for the purposes of this paragraph the order of seniority on the lineal list of officers on the promotion list shall be regarded as the order in which their names were placed on the promotion list: *Provided further*, That each officer appointed to the grade of rear admiral pursuant to this paragraph shall be given in his appointment the same date of rank stated in the permanent commission of his running mate in the grade of rear admiral: *Provided further*, That if such running mate shall not have been permanently appointed to the grade of rear admiral, the staff officer shall be given as his date of rank the date of rank stated in his temporary commission in that grade until such running mate is permanently appointed to the grade of rear admiral at which time the staff officer shall be given a new commission with the same date of rank given to such running mate upon the latter's permanent appointment as rear admiral: *And provided further*, That all such appointments shall be made by and with the advice and consent of the Senate.

Authority to appoint officers in grades below rear admiral.

(4) The President is authorized to permanently appoint in any grade below rear admiral in any staff corps of the Regular Navy and

regularly commission therein officers of the staff corps concerned holding permanent appointments as such in the Regular Navy in grades above commissioned warrant officer, who are serving in that grade under temporary appointments or who are on the promotion list for temporary appointment therein when the line running mates of such officers are permanently appointed in such grade pursuant to the provisions of paragraph (2) of this subsection, and in the event that any such officer has a running mate who does not hold a permanent appointment in the line of the Regular Navy in grades above commissioned warrant officer, he may be so permanently appointed to and regularly commissioned in such grade when the senior of those line officers holding permanent appointments in the Regular Navy in such grade junior to his running mate is permanently appointed to such grade: *Provided*, That such officers when so appointed shall be deemed for all purposes to have been so appointed simultaneously with their line running mates and their commissions shall bear date of rank accordingly: *Provided further*, That in cases where the eligibility of an officer of a staff corps for permanent appointment in any grade in the Regular Navy is dependent upon the eligibility for permanent appointment to such grade of a line officer other than his running mate, such officer of the staff corps, when permanently appointed, shall receive a commission with the same date of rank in such grade as that of such line officer: *Provided further*, That should the line running mate of an officer on the promotion list not be on the promotion list such officer shall be appointed to the grade for which selected and be assigned a line running mate and date of rank therein, in the manner prescribed in this section for a temporary promotion: *Provided further*, That nothing contained in this subsection shall operate to increase the allowed number of captains in the Medical Service Corps or the allowed number of commanders or lieutenant commanders in the Nurse Corps, as determined pursuant to section 203 of this title: *And provided further*, That all such appointments shall be made by and with the advice and consent of the Senate.

Restriction.

*Ante*, p. 816.

Naval Reserve.

(5) The President is authorized to permanently appoint to a grade in the line of the Naval Reserve and regularly commission therein, officers of the Naval Reserve, holding permanent appointments above the grade of commissioned warrant officer therein, on active duty who are serving in that grade under temporary appointments or who are on the promotion list for temporary appointment therein when the officer next senior to each such officer, in the line is permanently appointed in such grade pursuant to the provisions of paragraph (2) of this subsection: *Provided*, That such officers when so appointed shall be deemed for all purposes to have been so appointed simultaneously with such next senior officer, and their commissions shall bear date of rank accordingly.

(6) Each officer in any staff corps of the Naval Reserve holding a permanent appointment above the grade of commissioned warrant officer therein, who has a permanently appointed line officer of the Regular Navy as his running mate in a grade to which he is temporarily appointed pursuant to this title, may be permanently appointed to and regularly commissioned in such grade in the Naval Reserve when his running mate is so permanently appointed to such grade in the Regular Navy; and each officer in any staff corps of the Naval Reserve holding a permanent appointment above the grade of commissioned warrant officer therein who has a running mate in a grade to which he is temporarily appointed pursuant to this title other than a permanently appointed line officer of the Regular Navy, may be permanently appointed to and regularly commissioned in such grade in the Naval Reserve when the senior of those permanently

Running mates and precedence.

*Ante*, p. 833.

60 Stat. 92.  
34 U. S. C. § 2 *et seq.*  
*Ante*, p. 738; *post*,  
pp. 867, 877.

60 Stat. 92.  
34 U. S. C. § 2 *et seq.*  
*Ante*, p. 738; *post*,  
pp. 867, 877.  
*Ante*, p. 833.

Officer of staff corps  
of Naval Reserve.

*Ante*, p. 833.

commissioned line officers of the Regular Navy junior to his running mate is so permanently appointed to such grade in the Regular Navy.

(d) The following provisions shall relate to running mates and precedence:

(1) Upon determination of running mates as provided in section 304 of this title, staff officers shall have the running mates so assigned them. Thereafter line running mates shall be assigned to staff officers and staff officers shall take precedence in accordance with the provisions of this subsection.

(2) Line and staff officers of the Navy, when of the same grade, shall take precedence with all other line and staff officers of the same grade from the dates of rank stated in their commissions in said grade: *Provided*, That officers serving in the same grade and having the same date of rank in that grade shall take precedence in the following order: (a) Line officers, (b) medical officers, (c) supply officers, (d) chaplain, (e) civil engineers, (f) dental officers, (g) officers of the Medical Service Corps, and (h) officers of the Nurse Corps.

(3) Lieutenants (junior grade) in a staff corps, appointed subsequent to the enactment of this Act pursuant to any authority other than the Act of April 18, 1946 (Public Law 347, Seventy-ninth Congress), with dates of rank in that grade in the same calendar year shall, in order of their lineal rank and following December 31 of that year, be assigned running mates among line lieutenants (junior grade) with dates of rank in the same calendar year, if of other than the Medical Corps, and in the preceding calendar year if of the Medical Corps, in the manner herein prescribed. Each such staff officer shall be assigned as his running mate the line officer whose numerical position in the order of lineal rank among the line lieutenants (junior grade) above described is equal, or nearest equal, to the product of the numerical position of the staff officer in his order of lineal rank in his corps and a fraction whose numerator is the number of such line officers and whose denominator is the number of such staff officers. When there is but one such staff officer, the running mate shall be the line officer whose lineal rank is nearest the middle of the line officers concerned: *Provided*, That in any staff corps where officers may be originally appointed to the grade of lieutenant (junior grade) or ensign, all staff officers of that corps with dates of rank as lieutenants (junior grade) in the same calendar year shall, for the purpose of assignment of running mates, be regarded as having lineal rank in such order as may be recommended in the approved report of a board of officers convened for that purpose; such boards shall be convened as soon as practicable after December 31 of each year, shall be composed of officers of the corps concerned, and their recommendations when approved by the Secretary of the Navy shall be conclusive.

(4) An officer appointed to a staff corps in a grade above that of lieutenant (junior grade), or in the grade of lieutenant (junior grade), pursuant to the Act of April 18, 1946 (Public Law 347, Seventy-ninth Congress), subsequent to the date of the establishment of the lineal list of line officers as prescribed by subsection 304 (a) of this title, shall be assigned as his running mate by the Secretary of the Navy, a line officer with the same date of rank in the highest grade, permanent or temporary, to which the staff officer is appointed or, if there be none, the junior line officer with the next earlier date of rank in such grade.

(5) An officer of a staff corps of the Naval Reserve assigned to active duty subsequent to the date of the establishment of the lineal list of line officers as prescribed by subsection 304 (a) of this title, shall, for the purposes of this subsection only, be regarded as having date of rank in his grade according to his active service in that grade and

in the rank corresponding to such grade and shall, if he be of a grade above lieutenant (junior grade), be assigned as his running mate the junior line officer of the same grade with the same date of rank or, if there be none, the junior such line officer with next earlier date of rank; if he be of the grade of lieutenant (junior grade), he shall be assigned a running mate in the manner prescribed in paragraph (3) of this subsection of this title for officers appointed to the staff corps of the Regular Navy.

(6) Notwithstanding the provisions of paragraphs (3) and (4) of this subsection, a line officer hereafter transferred to a staff corps in the grade of lieutenant (junior grade) or above shall, upon transfer, have assigned as his running mate the line officer immediately senior to him at the time of transfer.

Line officer transferred to staff corps.

(7) Should the running mate of a staff officer be separated from the active list or for any cause lose numbers, a new running mate shall be assigned the staff officer who shall be the line officer who was next senior to the former running mate, or the line officer who was next junior if the former running mate was the senior officer in the grade concerned.

Separation of running mate from active list, etc.

(8) A staff officer selected for temporary promotion shall, when promoted, have assigned as his running mate in the grade to which promoted, a line officer of the same grade whose name was placed upon the promotion list for that grade upon approval of the line selection board immediately preceding the staff corps selection board which selected the staff officer. Such line officer shall be the officer who was the running mate of the staff officer in the grade from which promoted if such running mate shall have been selected and promoted; otherwise the new running mate shall be the line officer whose name was on the said promotion list and who shall have been selected and promoted next senior to the former running mate or, if there be no such line officer, the line officer who shall have been selected and promoted next junior to the former running mate. In the application of this subsection, if a board on selection for any staff corps and grade therein be not convened between the date of convening of two or more line selection boards for the same grade, the earliest of such boards shall be held as being the line selection board immediately preceding the staff board when convened.

Staff officer selected for temporary promotion.

(9) Should the running mate of a staff officer be promoted to a higher grade and such staff officer be not so promoted, the latter shall have assigned as his running mate in the grade in which he remains the line officer of that grade who was next senior to the former running mate, or if there be none the line officer of that grade next junior to the former running mate.

Promotion of running mate.

(10) If a staff officer of the grade of lieutenant (junior grade) or above shall lose numbers in grade for any cause he shall have assigned as his new running mate the line officer who is the running mate of the junior of those officers in his corps who becomes or will become senior to him as the result of such loss of numbers.

Loss of numbers by staff officer.

(11) If the running mate of a staff officer shall be advanced in numbers or shall be advanced in grade in accordance with section 1508 of the Revised Statutes, the staff officer shall have assigned as his new running mate the line officer not advanced who was next senior to his former running mate in the grade in which the staff officer remains or, if there remain in that grade no line officer who was senior to such former running mate in the grade concerned, the staff officer shall have assigned as his new running mate the senior line officer in the grade in which the staff officer remains.

Advancement in numbers, etc., of running mate.  
34 U. S. C. § 345.

(12) If a staff officer of the grade of lieutenant (junior grade) or above shall be advanced in numbers in his grade, he shall have assigned

Advancement in numbers of staff officer.

as his new running mate the line officer who is the running mate of the officer of the same grade in his corps immediately senior to such staff officer in the position to which advanced; if there be no such senior staff officer, the staff officer who is so advanced shall have assigned as his new running mate the line officer who is the running mate in the grade concerned of the staff officer of the same corps immediately junior to such staff officer in the position to which advanced.

Line officer running mate.

(13) The line officer running mate assigned a staff officer pursuant to this section shall, if the staff officer be one designated for limited duty, be an officer also designated for limited duty; in all other cases the running mate shall be a line officer not restricted in the performance of duty.

Pay and allowances.

(14) Officers of the staff corps serving in the grade of rear admiral shall receive the pay and allowances prescribed by law for rear admirals of the upper half from the date on which their respective running mates enter the upper half of the list of rear admirals, but not prior to the date of the vacancy the staff officer was promoted to fill.

#### RETIREMENT OF OFFICERS BELOW THE GRADE OF REAR ADMIRAL

Applicability.

SEC. 312. (a) The provisions of this section shall be applicable only to officers holding permanent appointments on the active list of the Regular Navy.

Captains.

(b) Captains of the Medical Service Corps shall be placed on the retired list on June 30 of the fiscal year in which they complete thirty-one years of total commissioned service, and captains of the line and of each other corps whose names, on June 30 of the fiscal year in which they complete thirty-one years of total commissioned service, as defined for line officers in section 102 of title I and for staff officers in section 202 of title II of this Act, are not on a promotion list, shall, subject to the provisions of paragraph (1) of subsection 311 (c) of this title, if not otherwise retired pursuant to law, be placed on the retired list on that date: *Provided*, That an officer who has lost numbers or precedence shall not be placed on the retired list by reason of completion of thirty-one years of total commissioned service as so defined until June 30 of the fiscal year in which he completes five years of service in the grade of captain: *Provided further*, That captains not restricted in the performance of duty whose names, on June 30 of the fiscal year in which they complete thirty years of total commissioned service, are not on a promotion list, shall, subject to the provisions of paragraph (1) of subsection 311 (c), if not otherwise retired pursuant to law, and if they shall have twice failed of selection for temporary promotion to rear admiral, be placed on the retired list on that date: *Provided further*, That not to exceed the following numbers of captains, recommended for continuation on the active list in the report of a selection board as approved by the President, may be so continued until the report of the next succeeding selection board is approved but no such captain shall be continued on the active list beyond June 30 of the fiscal year in which he shall have completed thirty-five years of total commissioned service as so defined: Ten designated for engineering duty, five designated for aeronautical engineering duty, ten designated for special duty, twenty-two in the Medical Corps, twenty-two in the Supply Corps, twenty-five in the Chaplain Corps, seven in the Civil Engineer Corps, and twelve in the Dental Corps: *And provided further*, That a captain so continued on the active list shall, if not again recommended for continuation on the active list in the approved report of the next succeeding selection board, thereafter be carried in excess of the number authorized to be so continued and shall be placed on the retired list on June 30 of the then current fiscal year.

*Ante*, p. 798.

*Ante*, p. 816.

*Ante*, p. 853.

*Ante*, p. 853.

Continuation on active list.

(c) Commanders, except commanders designated for limited duty, whose names, on June 30 of the fiscal year in which they complete twenty-six years of total commissioned service, are not on a promotion list, shall, subject to the provisions of paragraph (1) of subsection 311 (c) of this title, if not otherwise retired pursuant to law and if they shall have twice failed of selection for temporary promotion to captain, be placed on the retired list on that date. Commanders, except commanders designated for limited duty, who shall twice fail of selection for temporary promotion to captain, if such second failure shall occur subsequent to June 30 of the fiscal year in which they complete twenty-six years of total commissioned service, shall, if not otherwise retired pursuant to law, be placed on the retired list on June 30 of the fiscal year in which such second failure shall occur: *Provided*, That commanders in the Medical Service Corps shall not be involuntarily retired by reason of failure of selection for temporary promotion until June 30 of the fiscal year in which they shall have completed thirty years of total commissioned service: *Provided further*, That the definitions of total commissioned service set forth in sections 102 and 202 of this Act shall be applicable to this subsection.

Commanders.

*Ante*, pp. 798, 816.

(d) Officers designated for limited duty shall, if not otherwise retired pursuant to law, be placed on the retired list on the last day of the month following the month in which they complete thirty years of active naval service exclusive of active duty for training in a Reserve component.

Officers designated  
for limited duty.

(e) Lieutenant commanders, except lieutenant commanders designated for limited duty and lieutenant commander of the Nurse Corps, whose names, on June 30 of the fiscal year in which they completed twenty years of total commissioned service, are not on a promotion list, shall, subject to the provisions of paragraph (1) of subsection 311 (c) of this title, if not otherwise retired pursuant to law and if they shall have twice failed of selection for temporary promotion to commander, be placed on the retired list on that date. Lieutenant commanders, except lieutenant commanders designated for limited duty and lieutenant commander of the Nurse Corps, who shall twice fail of selection for temporary promotion to commander, if such second failure shall occur subsequent to June 30 of the fiscal year in which they complete twenty years of total commissioned service, shall, if not otherwise retired pursuant to law, be placed on the retired list on June 30 of the fiscal year in which such second failure shall occur: *Provided*, That the definitions of total commissioned service set forth in sections 102 and 202 of this Act shall be applicable to this subsection.

Lieutenant com-  
manders.*Ante*, p. 853.

(f) Lieutenant commanders designated for limited duty shall, if not otherwise retired pursuant to law, be placed on the retired list on June 30 of the fiscal year in which they shall have twice failed of selection for temporary promotion to commander: *Provided*, That such an officer instead of such separation from the active list shall, if he had the permanent status of a warrant officer or a commissioned warrant officer when first appointed an officer for the performance of limited duty only, have the option of reverting to the grade and status he would have held had he not been so appointed, and if he had a permanent rating below warrant officer when first so appointed he shall have the option of reverting to the grade and status he would have held had he not been so appointed but had instead been appointed a warrant officer, and in any computation to determine such grade and status all active service as an officer designated for limited duty or as a temporary or Reserve officer shall be included: *And provided further*, That such an officer exercising such option shall, if not otherwise retired pursuant to law, be placed on the retired list in the grade

*Ante*, pp. 798, 816.Lieutenant com-  
manders designated  
for limited duty.



in which then serving upon the completion of a total of thirty years of active naval service, exclusive of active duty for training in a Reserve component, with retired pay at the rate of 75 per centum of his active-duty pay.

Retired pay for officers in grades above lieutenant.

Fractional year.

60 Stat. 92.  
34 U. S. C. § 2 *et seq.*  
*Ante*, p. 738; *post*,  
pp. 867, 877.

Honorable discharge.

*Ante*, p. 851.

*Ante*, p. 798.

*Ante*, p. 816.

Fractional year.

Physical disability.

Applicability of designated provisions to officers above grade of ensign.

Retired rank, etc.

(g) Officers above the grade of lieutenant who are placed on the retired list pursuant to the provisions of this section shall be placed thereon with retired pay at the rate of  $2\frac{1}{2}$  per centum of their active-duty pay at the time of retirement multiplied by the number of years of service for which entitled to credit in the computation of their pay on the active list, not to exceed a total of 75 per centum of said active-duty pay: *Provided*, That a fractional year of six months or more shall be considered a full year in computing the number of years' service by which the rate of  $2\frac{1}{2}$  per centum is multiplied: *Provided further*, That the retired pay of an officer commissioned in the Regular Navy pursuant to the provisions of the Act approved April 18, 1946 (Public Law 347, Seventy-ninth Congress), or one commissioned in the Regular Navy subsequent to September 8, 1939, while serving on active duty as an officer of the Naval Reserve, who is so placed on the retired list, shall not be less than 50 per centum of his active-duty pay at the time of retirement.

(h) Lieutenants, except lieutenants of the Nurse Corps and lieutenants (junior grade), who shall have twice failed of selection for promotion to lieutenant commander and lieutenant, respectively, and officers whose names are reported in accordance with paragraph (2) of subsection 309 (c) of this Act, shall be honorably discharged from the Navy on June 30 of the fiscal year in which they fail of such selection the second time, or in which their names are reported in accordance with paragraph (2) of subsection 309 (c) of this Act, with a lump-sum payment computed on the basis of two months' active-duty pay at the time of discharge for each year of commissioned service computed in accordance with subsection 102 (d) for line officers or subsection 202 (d) for staff officers, but not to exceed a total of two years' active-duty pay: *Provided*, That for the purpose of this subsection a fractional year of six months or more shall be considered a full year in computing the number of years commissioned service upon which to base such lump-sum payment: *And provided further*, That an officer designated for limited duty, instead of such separation from the active list, shall have the option described in subsection (f) of this section.

(i) Officers on a promotion list who, at any time prior to promotion, are found incapacitated for service by reason of physical disability contracted in line of duty shall, when retired, be retired in the rank for which they were selected, with retired pay at the rate of 75 per centum of the active-duty pay of the grade to which selected. For the purpose of this subsection, officers on a promotion list for temporary promotion to the next higher grade shall be considered to be on the promotion list for permanent promotion thereto.

(j) The provisions of this title relating to the discharge or retirement of officers who have twice failed of selection for temporary promotion shall be applicable to officers above the grade of ensign who fail on professional reexamination for temporary promotion in the same manner as if such officers had twice failed of selection for temporary promotion.

(k) Nothing in this section shall be held to reduce the retired rank or pay to which an officer would be entitled under other provisions of law.

## RETIREMENT OF OFFICERS ABOVE THE GRADE OF CAPTAIN

SEC. 313. (a) Rear admirals who, having been considered by two successive selection boards for recommendation for continuation on the active list, are not so recommended in the approved report of such a board shall, if not otherwise retired pursuant to law, be placed upon the retired list on June 30 of the then current fiscal year with retired pay at the rate of  $2\frac{1}{2}$  per centum of their active-duty pay in the grade in which serving at the time of retirement multiplied by the number of years of service for which they would be entitled to credit in the computation of pay on the active list had they been serving in the grade of captain at the time of their retirement, but retired pay so computed shall not exceed a total of 75 per centum of said active-duty pay.

Rear admirals.

(b) Should it be found, as of the time of the convening of a board for the consideration of rear admirals of the line who are not restricted in the performance of duty for continuation on the active list, that the number to be furnished the board as determined pursuant to the provisions of subsection 308 (a) (8) would, except for the proviso to said subsection, be less than 50 per centum of the number of such rear admirals, excluding those who have once failed of selection for continuation on the active list, eligible for such consideration, the Secretary of the Navy shall convene a board of not less than five officers, not restricted in the performance of duty and serving in ranks above that of rear admiral, to consider such rear admirals, excluding those who have once failed of selection for continuation on the active list, who completed four years of service in that grade and thirty-four years of total commissioned service, as defined in section 102 of title I of this Act, prior to July 1 of the current fiscal year, and recommend for retirement a sufficient number so that the number to be furnished the board as so determined shall equal said 50 per centum.

*Ante*, p. 845.*Ante*, p. 798.

(c) The Secretary of the Navy shall make a special review of vacancies in the grade of rear admiral in the Chaplain Corps in the third fiscal year following the fiscal year in which this Act becomes effective, and in the third fiscal year of each three-year period thereafter, and, should it be found, in any such third year, as of the time of the convening of a board for the consideration of captains of the Chaplain Corps for temporary promotion to the grade of rear admiral that no such captain was selected during the two preceding fiscal years because of lack of existing and estimated vacancies, and that no vacancy exists and none is estimated to occur during the ensuing twelve-month period, the Secretary of the Navy shall convene a board composed of three officers of the line of the grade of rear admiral or above, to consider rear admirals of the Chaplain Corps and to recommend one such officer for retirement.

Review of vacancies.  
Rear admirals in  
Chaplain Corps.

(d) The Secretary of the Navy shall make a special review of vacancies in the grade of rear admiral in the Dental Corps in the second fiscal year following the fiscal year in which this Act becomes effective, and in the second fiscal year of each two-year period thereafter, and, should it be found, in any such second year, as of the time of the convening of a board for the consideration of captains of the Dental Corps for temporary promotion to the grade of rear admiral, that no such captain was selected during the preceding fiscal year because of lack of existing and estimated vacancies and that no vacancy exists and none is estimated to occur during the ensuing twelve-month period, the Secretary of the Navy shall convene a board composed of one officer of the Dental

Rear admirals in  
Dental Corps.

Corps and two officers of the line, of the grade of rear admiral or above, to consider rear admirals of the Dental Corps and to recommend one such officer for retirement.

Selection for temporary promotion of captains.

(e) Should it be found, as of the time of the convening of a board for the consideration of captains of the line who are not restricted in the performance of duty for temporary promotion to the grade of rear admiral, that the number of vacancies existing plus the estimated number of vacancies which will occur during the ensuing twelve-month period in the grade of rear admiral is less than will permit the selection for temporary promotion of a number of such captains equal to 10 per centum of the authorized number of rear admirals, not restricted in the performance of duty, the Secretary of the Navy shall convene a board of not less than five officers, not restricted in the performance of duty, serving in ranks above that of rear admiral, to consider and recommend for retirement a sufficient number of such rear admirals to permit the selection for temporary promotion of the said number of such captains.

Captains designated for engineering or special duty.

(f) Should it be found, as of the time of the convening of a board for the consideration of captains designated for engineering duty, aeronautical engineering duty, or special duty for temporary promotion to the grade of rear admiral, that the number of vacancies existing plus the estimated number of vacancies which will occur during the ensuing twelve-month period in the grade of rear admiral is less than will permit the selection for temporary promotion of a number of such captains equal to 15 per centum of the authorized number of rear admirals designated for engineering duty, aeronautical engineering duty, or special duty, the Secretary of the Navy shall convene a board of not less than five officers, serving in ranks above that of rear admiral, to consider and recommend for retirement a sufficient number of such rear admirals to permit the selection for temporary promotion of the said number of such captains.

Selection for temporary promotion of captains in Medical and Supply Corps.

(g) Should it be found, as of the time of the convening of a board for the consideration of captains in the Medical Corps or in the Supply Corps for temporary promotion to the grade of rear admiral, that the number of vacancies existing plus the estimated number of vacancies which will occur during the ensuing twelve-month period in the grade of rear admiral is less than will permit the selection for temporary promotion of a number of captains in the corps concerned equal to 15 per centum of the authorized number of rear admirals in such corps, the Secretary of the Navy shall convene a board of not less than five officers, serving in the rank of rear admiral or above, to consider and recommend for retirement a sufficient number of such rear admirals to permit the selection for temporary promotion of the said number of such captains.

Rear admirals in Civil Engineer Corps.

(h) The Secretary of the Navy shall make a special review of vacancies in the grade of rear admiral in the Civil Engineer Corps in the second fiscal year following the fiscal year in which this Act becomes effective and in the second fiscal year of each two-year period thereafter, and, should it be found, in any such second year, as of the time of the convening of a board for the consideration of captains of the Civil Engineer Corps for temporary promotion to the grade of rear admiral, that no such captain was selected during the preceding fiscal year because of lack of existing and estimated vacancies, and that no vacancy exists and none is estimated to occur during the ensuing twelve-month period, the Secretary of the Navy shall convene a board composed of one officer of the Civil Engineer Corps and two officers of the line, of the rank of rear admiral or above, to consider rear admirals of the Civil Engineer Corps and to recommend one such officer for retirement.

(i) The boards provided for in this section relative to staff officers, except as otherwise specified in this section, shall be composed of officers on the active list of the Navy of the corps concerned. In case there be not a sufficient number of officers of the corps concerned legally or physically capacitated to serve on a selection board of such corps, officers of the line on the active list of equivalent rank may be detailed to duty on such board to constitute the required membership.

Composition of boards.

(j) The report of a board convened pursuant to the provisions of this section shall be submitted to the President for approval or disapproval; if the President shall disapprove the recommendations of the board in whole or in part, the board shall then recommend additional rear admirals for retirement equal in number to those disapproved by the President.

Submission of report to President.

(k) Officers so recommended for retirement as approved by the President shall, if not otherwise retired pursuant to law, be placed upon the retired list on June 30 of the then current fiscal year with retired pay at the rate of  $2\frac{1}{2}$  per centum of their active-duty pay in the grade in which serving at the time of retirement multiplied by the number of years of service for which they would be entitled to credit in the computation of pay on the active list had they been serving in the grade of captain at the time of their retirement, but retired pay so computed shall not exceed a total of 75 per centum of said active-duty pay.

Retired pay.

(l) Nothing in this section shall be held to reduce the retired rank or pay to which an officer would be entitled under other provision of law.

Restriction.

#### MARINE CORPS

SEC. 314. (a) Commissioned officers of the Marine Corps shall be authorized in number in the same proportion to authorized enlisted strength and shall be distributed in grades, promoted, retired, and discharged in like manner and with the same relative conditions in all respects as provided for commissioned officers of the line of the Navy, by existing law, or by laws hereafter enacted, except as may be necessary to adapt the said provisions to the Marine Corps, or as herein otherwise provided.

(b) Of the authorized number of commissioned officers above the grade of colonel who are not restricted in the performance of duty, not more than 50 per centum may be major generals and above and the remainder brigadier generals.

Officers above grade of colonel not restricted in duty.

(c) The number of brigadier generals designated for supply duty, including the officer serving as the head of the Supply Department, shall not exceed at any one time a number equal to 13 per centum of the number of general officers of the Marine Corps not restricted in the performance of duty authorized at that time.

Supply duty. Brigadier generals.

(d) The total number of officers designated for supply duty in the combined grades of colonel, lieutenant colonel, and major shall not exceed at any one time a number equal to 8 per centum of the total number of officers not restricted in the performance of duty authorized in those grades at that time.

Combined grades of colonel, lieutenant colonel, and major.

(e) The requirement of sea or foreign service in grade shall not apply to temporary promotion of officers of the Marine Corps.

Sea or foreign service.

(f) Selection boards shall consist of nine officers of the active list of the Marine Corps, the composition of the boards to be determined by the Secretary of the Navy: *Provided*, That no officer shall be recommended for temporary promotion or for continuation on the active list unless he shall have received the recommendation of not less than two-thirds of the acting members of the board: *Provided further*, That whenever there are insufficient general officers available to comprise a

Selection boards.

Recommendation for temporary promotion, etc.

*Ante*, p. 841.

Administrative  
staff duty.

Appointment of  
alternate members of  
board.

Temporary promo-  
tion to major general.

*Ante*, p. 853.

*Post*, p. 879.

Pay and allowances.

Promotion zone in  
grade of brigadier gen-  
eral.

selection board for the recommendation of officers for temporary promotion to the grades of brigadier general and colonel without placing thereon general officers who served as members of the same corresponding board the preceding year, officers of the active list of the line of the Navy, not restricted in the performance of duty, of the grade of rear admiral may be substituted for general officers of the Marine Corps in order to comply with the provisions of section 305 (a) (2) of this title: *Provided further*, That selection boards to recommend brigadier generals for temporary promotion to major general shall be composed of officers of the permanent grade of major general on the active list of the Marine Corps to the extent that such officers are deemed available for this duty by the Secretary of the Navy, and the remainder of the board shall be composed of rear admirals on the active list of the line of the Navy, not restricted in the performance of duty: *And provided further*, That administrative staff duty performed by any officer under appointment or detail, and duty in aviation, or in any technical specialty, shall be given weight by the selection board in determining his fitness for promotion equal to that given to line duty equally well performed.

(g) Whenever officers designated for supply duty are eligible for consideration by a selection board for temporary promotion or for continuation on the active list, the Secretary of the Navy shall appoint, as alternate members of the appropriate selection board, three officers of that designation, and if there be not three available, he shall so appoint such lesser number as may be available, and the junior members of the board who are not restricted in the performance of duty, in like number, shall not act upon the cases of officers designated for supply duty. No such alternate member shall act upon the cases of officers other than those designated for supply duty. No officer designated for supply duty or for limited duty shall act upon the cases of officers not restricted in the performance of duty.

(h) Temporary promotion to major general shall be from brigadier generals who are not restricted in the performance of duty, and such officers shall be eligible for consideration by a selection board for temporary promotion to major general when they will have completed on June 30 of the fiscal year of the convening of the board four years' service in that grade. The date of rank of an officer temporarily appointed in the grade of major general shall be the date of rank held by such officer in the grade of brigadier general under permanent or temporary appointment: *Provided*, That subject to the provisions of subsection 311 (c) (1) and subsection 423 (b) of this Act, such date of rank shall not be earlier than that of the junior officer in the grade of major general: *And provided further*, That such an officer shall be entitled to the pay and allowances of the higher grade from the date of occurrence of the vacancy which he is promoted to fill.

(i) The promotion zone in the grade of brigadier general for officers not restricted in the performance of duty shall be established by the Secretary of the Navy as of the date of the convening of a selection board to consider officers of that grade for recommendation for temporary promotion to the next higher grade. It shall consist of that number of the most senior such officers of the grade of brigadier general who are eligible for selection for temporary promotion to the next higher grade and have not previously failed of such selection, which must be either selected for temporary promotion by the particular board or be considered as having failed of such selection, in order to maintain a flow of promotion consistent with the needs of the service and to best assure to individuals in succeeding years equality of opportunity for promotion. The number shall be determined by

the Secretary of the Navy and shall be based upon a consideration of the estimated number of vacancies which will occur in the next higher grade for each of the ensuing five years and the number of such officers who will be eligible for selection.

(j) Officers serving in the grade of major general in the Marine Corps and officers serving in the grade of rear admiral in the Navy who are entitled to the pay of the upper half of that grade shall take rank among themselves according to their respective dates of rank in such grades. Officers serving in the grade of brigadier general in the Marine Corps and officers serving in the grade of rear admiral in the Navy who are entitled to the pay of the lower half of that grade shall take rank among themselves according to their respective dates of rank in such grades.

Rank in designated grades.

(k) The provisions of this title relating to the selection of rear admirals for continuation on the active list shall not be applicable to major generals.

Nonapplicability.

(l) Should it be found, as of the time of the convening of a board for the consideration of brigadier generals for temporary promotion to the grade of major general, that the number of vacancies existing plus the estimated number of vacancies which will occur during the ensuing twelve-month period in the grade of major general is less than will permit the selection for temporary promotion of a number of brigadier generals equal to 50 per centum of the number of such officers comprising the promotion zone for that grade, the Secretary of the Navy shall convene a board of not less than five officers serving in ranks above that of major general or rear admiral to consider and recommend for retirement a sufficient number of major generals to permit the selection for temporary promotion of the said number of brigadier generals.

Selection for temporary promotion of brigadier generals.

(m) Should it be found, as of the time of the convening of a board for the consideration of colonels, who are not restricted in the performance of duty for temporary promotion to the grade of brigadier general, that the number of vacancies existing plus the estimated number of vacancies which will occur during the ensuing twelve-month period is less than will permit the selection for temporary promotion of a number of such colonels equal to 10 per centum of the authorized number of general officers who are not restricted in the performance of duty, the Secretary of the Navy shall convene a board of not less than five officers serving in ranks above that of major general or rear admiral to consider and recommend for retirement a sufficient number of general officers to permit the selection for temporary promotion of the said number of colonels.

Selection for temporary promotion of colonels.

(n) Brigadier generals, who are not restricted in the performance of duty, whose names are not on the promotion list shall, if not otherwise retired pursuant to law, be placed on the retired list on June 30 of the fiscal year in which they fail of selection for temporary promotion the second time with retired pay at the rate of  $2\frac{1}{2}$  per centum of their active-duty pay in the grade in which serving at the time of retirement multiplied by the number of years of service for which they would be entitled to credit in the computation of pay on the active list had they been serving in the grade of colonel at the time of their retirement, but retired pay so computed shall not exceed a total of 75 per centum of said active-duty pay.

Brigadier generals.  
Retired pay.

(o) The provisions of this title relating to officers of the Navy designated for limited duty shall be applicable in like manner and with like effect to officers of the Marine Corps designated for limited duty.

Applicability of designated provisions.

(p) The provisions of this title relating to officers of the Navy designated for engineering duty shall be applicable in like manner

and with like effect to officers of the Marine Corps designated for supply duty, except as may be necessary to adapt the said provisions to the Marine Corps or as herein otherwise provided.

Brigadier generals  
designated for supply  
duty.

*Ante*, p. 798.

Continuation on  
active list.

*Ante*, p. 798.

Selection for tempo-  
rary promotion of  
colonels.

Number to be con-  
tinued on active list.

(q) Brigadier generals designated for supply duty, if not retired pursuant to other provisions of law, shall, except as otherwise provided in this section, be placed on the retired list on June 30 of the fiscal year in which they complete five years' service in that grade and thirty-five years' total commissioned service, the latter as defined in section 102 of title I of this Act, with retired pay at the rate of 2½ per centum of their active-duty pay in the grade in which serving at the time of retirement multiplied by the number of years of service for which they would be entitled to credit in the computation of pay on the active list had they been serving in the grade of colonel at the time of their retirement, but retired pay so computed shall not exceed a total of 75 per centum of said active-duty pay.

(r) Brigadier generals of the Marine Corps designated for supply duty who in the then current fiscal year complete or will complete five years' service in their grade and have completed or will complete in such fiscal year thirty-five years of total commissioned service; those who prior to the then current fiscal year have completed five years' service in their grade and in such fiscal year complete or will complete thirty-five years of total commissioned service; and those who were recommended for continuation on the active list in the approval report of the immediately preceding appropriate selection board, shall be eligible for consideration by a selection board for continuation on the active list: *Provided*, That total commissioned service shall be as defined in section 102 of title I of this Act: *Provided further*, That not to exceed two such brigadier generals recommended for continuation on the active list in the report of a selection board as approved by the President may be so continued until the report of the next succeeding selection board is approved: *And provided further*, That a brigadier general so continued on the active list shall, if not again recommended for continuation on the active list in the approved report of the next succeeding selection board, thereafter be carried in excess of the number authorized to be so continued and shall be placed on the retired list on June 30 of the then current fiscal year.

(s) In addition to the information otherwise required by this title, the Secretary of the Navy shall furnish the appropriate selection board with the number of brigadier generals designated for supply duty which the board may recommend for continuation on the active list. The number so furnished shall be such number as the Secretary of the Navy shall determine to be necessary to meet the requirements of the Marine Corps not to exceed two.

(t) Should it be found, as of the time of the convening of a board for the consideration of colonels designated for supply duty for temporary promotion to the grade of brigadier general, that the number of vacancies existing plus the estimated number of vacancies which will occur during the ensuing twelve-month period in the grade of brigadier general is less than will permit the selection for temporary promotion in such period of a number of such colonels equal to 15 per centum of the authorized number of brigadier generals designated for supply duty, the Secretary of the Navy shall convene a board of not less than five officers serving in ranks above that of brigadier general to consider and recommend for retirement a sufficient number of brigadier generals designated for supply duty to permit the selection for temporary promotion in such period of the said number of such colonels.

(u) The number to be furnished the board in respect to colonels designated for supply duty to be continued on the active list shall be such number, not to exceed two, as the Secretary of the Navy shall determine to be necessary to meet the requirements of the Marine Corps.

(v) Officers recommended for retirement in the report of a board convened pursuant to subsections (l), (m), and (t) of this section, as approved by the President, shall, if not otherwise retired pursuant to law, be placed on the retired list on June 30 of the then current fiscal year with retired pay at the rate of  $2\frac{1}{2}$  per centum of their active-duty pay in the grade in which serving at the time of retirement multiplied by the number of years of service for which they would be entitled to credit in the computation of pay on the active list had they been serving in the grade of colonel at the time of their retirement, but retired pay so computed shall not exceed a total of 75 per centum of said active-duty pay.

Retired pay.

(w) From among the officers designated for supply duty who are eligible for consideration for continuation on the active list, the board shall recommend for such continuation those officers whom it considers best fitted for continued service on the active list in number equal to the number furnished the board by the Secretary of the Navy.

Recommendation for continuation on active list.

(x) Nothing in this section shall be held to reduce the retired rank or pay to which an officer would be entitled under other provisions of law.

Retired rank, etc.

(y) The report of a board convened pursuant to the provisions of subsections (l), (m), and (t) of this section shall be submitted to the President for approval or disapproval; if the President shall disapprove the recommendations of the board in whole or in part, the board shall then recommend additional appropriate general officers for retirement equal to the number disapproved by the President.

Submission of report to President.

#### DETERMINATION OF UPPER AND LOWER HALF REAR ADMIRALS

SEC. 315. Rear admirals on the active list of the line in the upper half of that grade, exclusive of officers carried as additional numbers in grade, shall be entitled to the pay and allowances prescribed by law for rear admirals of the upper half: *Provided*, That for the purpose of determining the number of rear admirals in the upper half, there shall be excluded those officers carried as additional numbers in that grade, and each rear admiral carried as an additional number in that grade shall be entitled to such pay and allowances from the date on which the officer next junior to him becomes entitled thereto pursuant to this section: *And provided further*, That for the purposes of determining the number of rear admirals in the upper half, an officer serving in the grade of admiral or vice admiral shall be regarded as serving in the grade to which he would be entitled other than by virtue of his appointment in the grade of admiral or vice admiral.

#### SPECIAL PROVISIONS

SEC. 316. (a) No officer serving in warrant grade shall be temporarily advanced to commissioned warrant officer until he shall have completed six years of service in warrant or higher grade.

Officer serving in warrant grade.

(b) So much of paragraphs 2 and 3 of subsection (c) of section 5 of the Act of April 18, 1946 (Public Law 347, Seventy-ninth Congress, second session), as relates to the assignment or reassignment of running mates to officers in the Staff Corps is hereby repealed.

Repeal.  
60 Stat. 93.  
34 U. S. C. § 15 (c) (2), (3).

(c) Nothing in this title shall be held to confer permanent commissioned status in the Regular Navy or Marine Corps upon any Reserve officer or any person temporarily appointed to the grade of ensign or above from a grade or rating below ensign.

Permanent commissioned status.

(d) Notwithstanding any other provision of this title, the President is authorized to terminate any temporary appointment effected pursuant to authority of titles I through IV of this Act.

Termination of temporary appointment.



Continuation of service of designated officers.

(e) Upon the termination of this title, officers holding permanent commissions in the Regular Navy in grades above commissioned warrant officer serving in a grade by virtue of temporary appointment therein may continue to so serve until a vacancy occurs for their permanent appointment therein and such officers upon a promotion list for temporary promotion to the next higher grade shall be held and considered to be on the promotion list for permanent promotion thereto.

Failure of selection.

(f) A failure of selection for temporary promotion to any grade or a failure of selection for continuation on the active list pursuant to the provisions of this title shall be deemed, in the cases of officers holding permanent appointments in the Regular Navy, to also constitute a failure of selection for permanent promotion to that grade.

Reduction in grade, etc.

(g) Nothing in this title shall be held to reduce the grade or rank held by any officer on the date of approval of this Act under permanent appointment therein.

Retirement of captains.

(h) Notwithstanding any other provision of this title, no captain who will have twenty-nine or more years of total commissioned service on June 30 next after the date of approval of this Act shall be placed on the retired list pursuant to the provisions of this title until he shall have twice failed of selection for promotion to the grade of rear admiral in the approved reports of selection boards convened pursuant to the provisions of the Act approved June 23, 1938 (52 Stat. 944), as amended, or of titles I through IV of this Act: *Provided*, that no such captain designated for engineering duty only, aeronautical engineering duty only, or special duty only shall be placed on the retired list pursuant to the provisions of this title until his name shall have been twice submitted to selection boards, convened pursuant to titles I through IV of this Act, for consideration for promotion to the grade of rear admiral.

34 U. S. C. § 2 *et seq.*  
*Post*, p. 882.

Officers regarded as promoted pursuant to recommendation of board.

(i) All officers holding permanent appointments on the active list of the regular Navy who received their last permanent promotions as "best fitted", "fitted and retained", or "fitted" shall no longer be so characterized, designated, or described, but shall be regarded as having received such promotions pursuant to the recommendation of a selection board as prescribed in titles I through IV of this Act.

Retirement grade.

(j) Any officer serving in the grade of rear admiral or below under authority of this title by virtue of a temporary appointment therein shall, if retired while so serving, be retired in the grade in which serving with retired pay based on the active-duty pay to which he was entitled at the time of retirement unless otherwise entitled to higher retired grade or pay.

Applicability of examination provisions.

(k) In effecting temporary promotions pursuant to the provisions of this title, the provisions of law relative to the mental, moral, and professional examination of officers prior to promotion shall not be applicable to officers not holding permanent appointments on the active list of the Regular Navy above the grade of commissioned warrant officer but shall be applicable to officers holding such appointments. Officers having successfully passed such examination for temporary promotion to a grade shall not again be examined for permanent appointment in that grade.

Affirmation of temporary appointments.  
Warrant officers.

(l) The President is authorized, in his discretion, to affirm the temporary appointments of warrant and commissioned warrant officers who are serving as such on the effective date of this Act pursuant to the authority of the Act of July 24, 1941 (55 Stat. 603), as amended. Upon such affirmation such appointment shall thereafter be considered as having been effected pursuant to the authority contained in this title.

34 U. S. C. §§ 350-350j.  
*Ante*, pp. 312, 313.

(m) The appointments of officers who are on the lineal lists established pursuant to subsections (a) or (e) of section 304 of this Act, and of retired officers of the Navy or Naval Reserve, who are serving on active duty on the effective date of this Act in the grade of commodore under a temporary appointment for a period of limited duration may be affirmed by the President, and upon such affirmation shall be considered as having been effected pursuant to this title; such officers may continue to so serve under such appointments until they are placed on inactive duty, until their appointments are terminated by their own terms, or until their appointments are terminated by the President, whichever shall occur the earliest: *Provided*, That an officer who is on a lineal list established pursuant to section 304 of this Act who is serving on active duty on the date of the establishment of the appropriate lineal list in the grade of commodore under a temporary appointment for a period of limited duration may, upon the termination of such appointment, be temporarily appointed to the grade and with the precedence therein according to the lineal position to which he would be entitled were he not so serving or had he not been so temporarily appointed: *Provided further*, That retired officers of the Navy or Naval Reserve who are serving on active duty on the effective date of this Act in the grade of commodore under a temporary appointment for a period of limited duration who are retained on active duty immediately subsequent to the termination of such appointments may be temporarily appointed to the grades in which they would have been serving on the effective date of this Act had they not been serving at that time in the grade of commodore under temporary appointments for a period of limited duration. The appointments of officers who are on a lineal list established pursuant to section 304 of this Act and of retired officers of the Navy or Naval Reserve who are serving on active duty on the effective date of this Act in the grade of commodore under a temporary appointment may be affirmed by the President, and upon such affirmation shall be considered as having been effected pursuant to this title; such officers may continue to so serve under such appointments until they are placed on inactive duty, or until their appointment is terminated: *Provided further*, That no officer may continue to serve on active duty in the grade of commodore pursuant to this subsection later than six months after June 30 of the fiscal year following that in which the present war shall end: *And provided further*, That for the purpose of determining the authorized number of officers in the grade of captain in accordance with section 303 of this Act, such number shall be reduced by the number of commodores serving on active duty pursuant to this subsection, or serving on active duty in the grade of commodore by virtue of other provisions of law.

(n) Notwithstanding any other provision of this title, each officer who, pursuant to section 304 of this title, is not appointed to the grade in which he was serving at the time of establishing the lineal list, may be continued in that grade until his temporary appointment is terminated or until the date of his appointment to a lower grade pursuant to section 304.

Commodores.

*Ante*, pp. 833, 835.

Precedence.

*Ante*, p. 833.

Reduction of number.  
*Ante*, p. 831.

Continuation in grade.  
*Ante*, p. 833.

## TITLE IV—MISCELLANEOUS PROVISIONS

### ASSIGNMENT OF OFFICERS TO SPECIAL DUTY

SEC. 401. (a) Officers of the line of the Navy not below the grade of ensign may, upon application, and with the approval of the Secretary of the Navy, be assigned to special duty only, including but not restricted to the performance of specialized duties in the fields of communications, law, naval intelligence, photography, public information, psychology, and hydrography.

(b) The total number of officers assigned to special duty only shall not exceed, at any one time a number equal to  $2\frac{5}{10}$  per centum of the total number of officers holding permanent appointments on the active list of the line of the Regular Navy at that time.

(c) Officers assigned to special duty only shall be additional numbers in grade. They shall perform sea or shore duty appropriate to their special qualifications but shall not succeed to command except on shore and then only as authorized by the Secretary of the Navy.

(d) Officers assigned to special duty only shall be described and known as officers designated for special duty.

#### ASSIGNMENT OF OFFICERS TO ENGINEERING DUTY

34 U. S. C. § 71.

SEC. 402. (a) The first paragraph under the heading "Officers for Engineering Duty" of the Act of August 29, 1916 (39 Stat. 580), as amended by the Acts of May 11, 1928 (45 Stat. 498), and June 25, 1940 (54 Stat. 528), is hereby further amended to read as follows:

"Officers of the line of the Navy not below the grade of ensign may, upon application, and with the approval of the Secretary of the Navy, be assigned to engineering duty only. Officers so assigned shall be additional numbers in grade. They shall perform sea or shore duty in the Navy, appropriate to their special qualification but shall not succeed to command except on shore and then only as authorized by the Secretary of the Navy."

(b) The total number of officers assigned to engineering duty only shall not exceed, at any one time, a number equal to  $4\frac{5}{10}$  per centum of the total number of officers holding permanent appointments on the active list of the line of the Regular Navy at that time.

(c) Hereafter officers assigned to engineering duty only shall be described and known as officers designated for engineering duty.

(d) Officers of the Marine Corps assigned to supply duty only shall be described and known as officers designated for supply duty.

#### ASSIGNMENT OF OFFICERS TO AERONAUTICAL ENGINEERING DUTY

SEC. 403. (a) Officers of the line of the Navy, including officers heretofore assigned to engineering duty only, not below the grade of ensign, may, upon application, and with the approval of the Secretary of the Navy, be assigned to aeronautical engineering duty only.

(b) The total number of officers assigned to aeronautical engineering duty only shall not exceed, at any one time, a number equal to  $2\frac{5}{10}$  per centum of the total number of officers holding permanent appointments on the active list of the line of the Regular Navy at that time.

(c) Officers assigned to aeronautical engineering duty only shall be additional numbers in grade. They shall perform sea or shore duty appropriate to their special qualifications but shall not succeed to command except on shore and then only as authorized by the Secretary of the Navy.

(d) Officers assigned to aeronautical engineering duty only shall be described and known as officers designated for aeronautical engineering duty.

#### ASSIGNMENT OF OFFICERS TO LIMITED DUTY

Appointments by President.

SEC. 404. (a) The President is authorized to permanently appoint in the Regular Navy, in commissioned grades not above the grade of commander; commissioned warrant officers; warrant officers; chief petty officers; and petty officers, first class, of the Regular Navy, for the performance of limited duty only in the technical fields indicated by their warrants or ratings. Such appointments shall be effected by and with the advice and consent of the Senate.

(b) The appointment of such officers in the Staff Corps of the Regular Navy is hereby limited to such appointments in the Supply Corps and Civil Engineer Corps.

(c) The eligibility of commissioned warrant officers; warrant officers; chief petty officers; and petty officers, first class, for appointment pursuant to the authority of subsection (a) of this section shall be determined in accordance with rules to be prescribed by the Secretary of the Navy, but no person shall be eligible for such appointment until he shall have completed ten years of active service in the Navy.

(d) The provisions of subsections (a) and (c) of this section shall be applicable in like manner and with like effect, except as may be necessary to adapt the same thereto, to the Regular Marine Corps.

(e) The total number of officers on the active list of the line of the Regular Navy appointed for limited duty only shall not exceed, in any year, a number equal to  $62\frac{2}{100}$  per centum of the total number of officers holding permanent appointments on the active list of the line, exclusive of officers designated for engineering duty, aeronautical engineering duty, and special duty, of the Regular Navy in that year.

(f) The number of officers on the active list of the staff corps concerned appointed for limited duty only shall not in any year exceed the following proportions of the authorized number of officers appointed for limited duty only of the active list of the line in that year: In the Supply Corps, 12 per centum; in the Civil Engineer Corps, 3 per centum.

(g) The total number of officers on the active list of the Marine Corps appointed for limited duty only shall not exceed, in any year, a number equal to  $62\frac{2}{100}$  per centum of the total number of officers holding permanent appointments on the active list, exclusive of officers designated for supply duty, of the Marine Corps in that year.

(h) For two years after the date of approval of this Act, the President may make original appointments, pursuant to the provisions of the preceding subsections of this section, in the grade of commander or any lower grade, in accordance with the needs of the service as determined by him, but, with respect to line officers appointed for limited duty only, not to exceed in any grade the maximum number of such officers for that grade as last computed pursuant to subsection 103 (f). No person shall be eligible for original appointment in a grade above ensign except he shall have completed service in the Navy as follows: For commander, twenty-eight years; for lieutenant commander, twenty-two years; for lieutenant, sixteen years; for lieutenant (junior grade), thirteen years. Commissioned warrant officers; warrant officers; chief petty officers; and petty officers, first class, of the Regular Navy, who are otherwise eligible, shall be eligible for such appointment, notwithstanding that they may be serving in commissioned grades by virtue of temporary appointment therein, but no such person shall be so appointed in a higher grade or with a higher lineal rank in grade than the grade and lineal rank in grade held by him by virtue of his temporary appointment. Original appointments pursuant to this subsection shall be effected with such dates of rank and registered numbers as may be necessary to place each appointee in a lineal position within the grade to which initially appointed commensurate as far as possible with his total length of active naval service. Officers originally appointed pursuant to this subsection to a grade above lieutenant (junior grade) in the line shall be carried as excess in grade until the next subsequent annual computation shall be made to determine the total numbers of line officers authorized in the grade concerned.

(i) Upon the termination of subsection (h) of this section all original appointments effected pursuant to the authority of subsection (a) of this section shall be in the grade of ensign.

Staff Corps.

Determination of eligibility.

Marine Corps.

Officers appointed for limited duty.

Marine Corps.

Original appointments by President.

Eligibility.

Dates of rank, etc.

Excess in grade.

Appointments in grade of ensign.

- Pay and allowances. (j) No officer appointed for limited duty only shall suffer any reduction in pay and allowances to which he was entitled at the time of such appointment by virtue of his permanent status.
- Marine Corps. (k) The provisions of subsections (h), (i), and (j) of this section are hereby made applicable in like manner and with like effect, except as may be necessary to adapt the same thereto, to the Regular Marine Corps.
- Assignment to engineering duty, etc. (l) Any officer appointed in the line of the Navy for limited duty only, may, upon application, and upon determination by the Secretary of the Navy, in accordance with rules to be prescribed by him, that such officer is qualified therefor, be assigned to engineering duty only, aeronautical engineering duty only, or special duty only, or to unrestricted performance of duty. Upon being so assigned, his status as an officer designated for limited duty shall terminate.
- (m) Any officer appointed in a staff corps of the Navy for limited duty only may, upon application, and upon determination by the Secretary of the Navy, in accordance with rules to be prescribed by him, that such officer is qualified therefor, be assigned to unrestricted performance of duty in the staff corps concerned. Upon being so assigned, his status as an officer designated for limited duty shall terminate.
- (n) Any officer appointed in the Marine Corps for limited duty only may, upon application, and upon determination by the Secretary of the Navy, in accordance with rules to be prescribed by him, that such officer is qualified therefor, be assigned to supply duty only, or to unrestricted performance of duty. Upon being so assigned, his status as an officer designated for limited duty shall terminate.
- Designation. (o) Officers appointed for limited duty only shall be described and known as officers designated for limited duty.

#### ESTABLISHMENT OF OFFICER GRADES IN THE STAFF CORPS

SEC. 405. The grades above that of commissioned warrant officer in the line of the Navy established under permanent provisions of existing law or of titles I through IV of this Act are hereby similarly established in each of the staff corps of the Regular Navy and the Naval Reserve in lieu of existing grades above that of commissioned warrant officer in each staff corps. Each staff officer on the active list of the Navy or Naval Reserve serving in a grade above that of commissioned warrant officer on the date of this Act shall be regarded as having been appointed to either or both the permanent or temporary grade established by this section in his corps corresponding to the permanent or temporary rank, or both, then held by him under the conditions of his existing appointment. Nothing in this section shall operate to establish in any staff corps a grade higher than the highest rank now provided for that corps under permanent provisions of law.

#### ADDITIONAL NUMBERS IN GRADE CHANGED TO REGULAR NUMBERS

SEC. 406. Officers of the Navy, except those assigned to engineering duty only, aeronautical engineering duty only, or special duty only, and officers of the Marine Corps, except those assigned to supply duty only, who, on the date of approval of this Act, are additional numbers in grade, are hereby changed to regular numbers on the Navy and Marine Corps lists, respectively.

#### GRADE OF ACTING CHAPLAIN ABOLISHED

SEC. 407. The grade of acting chaplain in the Navy is hereby abolished and hereafter appointments to the Corps of Chaplains shall be in the grade of lieutenant (junior grade), by and with the advice

and consent of the Senate: *Provided*, That officers now holding appointments as acting chaplains shall be commissioned in the grade of lieutenant (junior grade) by the President without the advice and consent of the Senate: *And provided further*, That nothing contained herein shall operate to prevent the appointment of any person to the Corps of Chaplains in a grade above that of lieutenant (junior grade) pursuant to the Act of April 18, 1946 (Public Law 347, Seventy-ninth Congress). No person shall be appointed to the Corps of Chaplains pursuant to this section until he shall have established his physical, mental, moral, and professional fitness to the satisfaction of the Secretary of the Navy.

60 Stat. 92.  
34 U. S. C. § 2 *et seq.*  
*Ante*, pp. 738, 867;  
*post*, p. 877.

LIMITATION ON APPOINTMENTS IN THE GRADE OF ENSIGN FOR ENGINEERING DUTY, AERONAUTICAL ENGINEERING DUTY, AND SPECIAL DUTY

SEC. 408. The President is authorized to permanently appoint and regularly commission in the line of the Navy in the grade of ensign, annually, officers designated for engineering duty, aeronautical engineering duty, or special duty, respectively, except officers designated for special duty who are required to hold a graduate degree, who are authorized to be so appointed and commissioned in the grade of lieutenant (junior grade). Such appointments shall not exceed as to each such designation the estimated number of vacancies, as determined by the Secretary of the Navy, which will occur in the grade to which appointed during the current fiscal year.

APPOINTMENTS IN THE GRADE OF ENSIGN IN THE STAFF CORPS

SEC. 409. In any staff corps of the Regular Navy wherein officers may now be originally commissioned in the rank of ensign, the President is authorized to permanently appoint and regularly commission in the grade of ensign, annually, a number of officers bearing the same relation to the number of officers of the line of the Regular Navy who are that year permanently appointed and regularly commissioned in the grade of ensign as the authorized number of officers on the active list of the Regular Navy in that corps bears to the authorized number of officers on the active list in the line of the Regular Navy: *Provided*, That when the ratio of officers on the active list in the line of the Regular Navy to officers on the active list of the Regular Navy in the staff corps concerned is greater than the ratio of the authorized number of such line officers to the authorized number of such officers in that staff corps, the President may permanently appoint and regularly commission in the grade of ensign in that corps such additional officers, not to exceed the number necessary to bring said ratios into equality, as he shall determine to be required to meet the needs of the service.

PROMOTION TO THE GRADE OF LIEUTENANT (JUNIOR GRADE) IN THE STAFF CORPS

SEC. 410. A staff corps officer of the grade of ensign shall be eligible for promotion to the grade of lieutenant (junior grade) on the third anniversary of the date of rank stated in his commission as ensign.

EXAMINATION OF OFFICERS PRIOR TO PROMOTION

SEC. 411. (a) Except as otherwise provided, nothing in titles I through IV of this Act shall be held or construed to modify the provisions of existing law relating to the physical, mental, moral, and professional examination of officers prior to promotion, and such provisions of law, as herein amended, shall be applicable to all promotions effected pursuant to titles I through IV of this Act.

34 U. S. C. § 283.

Suspension from  
promotion.

(b) Section 1505, Revised Statutes, as amended, is hereby further amended to read as follows:

"SEC. 1505. Any officer of the Navy on the active list who, upon examination for promotion, is found not professionally qualified, shall be suspended from promotion for a period of six months from the date of approval of said examination, and upon the termination of said suspension from promotion he shall be reexamined. In the case of his success upon such reexamination he shall, if otherwise qualified, be promoted and assigned the date of rank and precedence in the higher grade which he would have held had he not been so suspended and shall be entitled to the pay and allowances of such higher grade from the date upon which he became eligible for promotion. Officers of the grade of ensign who fail on such reexamination shall be honorably discharged from the service with a lump-sum payment computed on the basis of two months' active duty pay at the time of discharge for each year of active commissioned service in the Regular Navy and Naval Reserve, exclusive of duty for training, but not to exceed a total of one year's active duty pay."

34 U. S. C. §§ 280,  
284, 322, 323.

Laws relating to  
examination for pro-  
motion, etc.

(c) Section 20 of the Act approved May 22, 1917 (40 Stat. 89), is hereby amended to read as follows:

"SEC. 20. That hereafter all laws relating to the examination of officers of the Navy for promotion shall be construed to apply to staff officers of the Navy on the active list: *Provided*, That the President is authorized to direct the Secretary of the Navy to take such action on the records of proceedings of naval examining boards and boards of naval surgeons for the promotion of officers of the Navy as is now required by law to be taken by the President."

#### RETIREMENT OF OFFICERS SPECIALLY COMMENDED FOR PERFORMANCE OF DUTY IN COMBAT

Rank and pay.

Recall to active  
duty.

Nonapplicability.

Restriction.

Retirement prior to  
approval of Act.

SEC. 412. (a) All officers of the Navy, Marine Corps, and the Reserve components thereof, who have been specially commended for their performance of duty in actual combat by the head of the executive department under whose jurisdiction such duty was performed, when retired, except officers on a promotion list who may be retired for physical disability, shall, upon retirement, be placed upon the retired list with the rank of the next higher grade than that in which serving at the time of retirement and with three-fourths of the active-duty pay of the grade in which serving at the time of retirement and the grade in which serving at the time of retirement shall be construed to mean the highest grade in which so serving whether by virtue of permanent or temporary appointment therein: *Provided*, That all officers heretofore and hereafter holding rank or grade on the retired list above that of captain in the Navy or colonel in the Marine Corps solely by virtue of such commendation, if hereafter recalled to active duty, may, in the discretion of the Secretary of the Navy, be so recalled either in the rank or grade to which they would otherwise be entitled had they not been accorded higher rank or grade by virtue of such commendation, or in the rank or grade held by them on the retired list: *Provided further*, That the provisions of this subsection shall not apply in the case of any officer who has been so commended if the act or service justifying the commendation was performed after December 31, 1946: *Provided further*, That nothing in this subsection shall be construed to increase the retired pay of officers heretofore or hereafter placed upon the honorary retired list for the Naval Reserve: *Provided further*, That officers of the classes described in this subsection who have been retired prior to the date of approval of this Act shall be entitled to the benefits of this subsection from the date of

approval of this Act: *And provided further*, That nothing in this subsection shall be held to reduce the retired rank or pay to which an officer would be entitled under other provision of law.

(b) Section 309 of the Act of June 25, 1938 (52 Stat. 1183), is amended by deleting the period at the end of the section and adding the following: “; however, all naval reservists heretofore and hereafter holding rank or grade on the honorary retired list above that of captain in the Naval Reserve solely by virtue of such commendation, if hereafter recalled to active duty, may, in the discretion of the Secretary of the Navy, be so recalled either in the rank or grade to which they would otherwise be entitled had they not been accorded higher rank or grade by virtue of such commendation, or in the rank or grade held by them on the honorary retired list: *And provided further*, That the provisions of the preceding proviso shall not apply in the case of any naval reservist who has been so commended if the act or service justifying the commendation was performed after December 31, 1946.”

Restriction.

34 U. S. C. § 855h.

Naval reservists.

#### DESIGNATION OF NAVAL OFFICERS FOR CERTAIN COMMANDS OR UNUSUAL MISSIONS

SEC. 413. (a) The President is authorized to designate officers of the active list of the Navy for the command of fleets or subdivisions thereof, or to command naval units afloat organized for the purpose of performing a special or unusual mission, or for the performance of any duty of great importance and responsibility, and officers so designated may, by and with the advice and consent of the Senate, have the grade, rank, pay, and allowances of admiral or vice admiral while so serving: *Provided*, That the number of officers who may be so serving at any one time shall not exceed 15 per centum of the total authorized number of officers of the line of the Regular Navy above the grade of captain, determined pursuant to sections 103 and 303 of this Act, and, of such number, not to exceed eight, may be serving in the grade of admiral: *Provided further*, That after July 1, 1948, except in time of war or national emergency declared after the effective date of this Act, not to exceed twenty-six officers, including the Chief of Naval Operations, may be so serving at any one time of whom only the Chief of Naval Operations, and three others, may have the rank of admiral; whenever a naval officer is assigned as Chief of Staff to the President as Commander in Chief, he shall have, by and with the advice and consent of the Senate, unless entitled under other provisions of law to higher grade, rank, pay, or allowances, the grade, rank, pay, and allowances of admiral while so serving and shall be in addition to the numbers otherwise authorized by this subsection: *Provided further*, That the designation of any officer as authorized by this section shall not create a vacancy in any grade of the Navy or increase the total number of officers allowed by law: *And provided further*, That officers so designated shall have such precedence among themselves in the grade in which serving pursuant to this section as may be determined by the Secretary of the Navy.

Ante, pp. 798, 831.

Precedence.

(b) In time of war or national emergency the designations authorized by this section shall be made from among officers not below the grade of captain, and at all other times from among officers above the grade of captain.

(c) Each officer so designated shall receive the pay and allowances now or hereafter prescribed by law for the grade in which serving pursuant to this section from the date of reporting for the duty designated and until detached therefrom, at which time he shall resume his regular grade and lineal position on the active list of the Navy.

Pay and allowances.



(d) Nothing in this section shall be held or construed as amending or repealing the provisions of sections 1434, 1463, or 1464 of the Revised Statutes of the United States.

34 U. S. C. §§ 216,  
424, 425.  
*Ante*, p. 453.

RETIREMENT OF OFFICERS WITH HIGHEST GRADE HELD UNDER PROVISIONS  
OF SECTION 413

SEC. 414. Any officer of the Navy who may be retired while serving in accordance with the provisions of section 413 of this Act, or subsequent to such service, may, in the discretion of the President, by and with the advice and consent of the Senate, when retired, be placed on the retired list with the highest grade or rank held by him while on the active list: *Provided*, That no increase in retired pay shall accrue solely as the result of such advancement in rank on the retired list: *Provided further*, That the President, by and with the advice and consent of the Senate, may in his discretion extend the privilege herein granted to such officers heretofore or hereafter retired, who served in the rank of admiral or vice admiral pursuant to the authority of section 18 of the Act of May 22, 1917 (40 Stat. 89), or the Act of July 17, 1941 (55 Stat. 598).

34 U. S. C. §§ 1, 212-  
216, 424, 425, 864.  
*Ante*, p. 453.  
34 U. S. C. § 212a.

DESIGNATION OF OFFICERS OF THE MARINE CORPS FOR SPECIAL PURPOSES

SEC. 415. (a) The President is authorized to designate officers of the active list of the Marine Corps for appropriate higher commands, or for the performance of any duty of great importance and responsibility, and officers so designated may, by and with the advice and consent of the Senate, have the grade, rank, pay, and allowances of lieutenant general while so serving: *Provided*, That the number of officers who may be so serving at any one time shall not exceed 10 per centum of the total authorized number of officers of the Regular Marine Corps above the grade of colonel, determined pursuant to sections 103 and 303 of this Act, made applicable to the Marine Corps by sections 114 and 314 of this Act, exclusive of those assigned to supply duty only: *Provided further*, That after July 1, 1948, except in time of war or national emergency declared after the effective date of this Act, not to exceed two officers may be so serving at any one time: *Provided further*, That whenever a marine officer is assigned as Chief of Staff to the President as Commander in Chief, he shall have, by and with the advice and consent of the Senate, the grade, rank, pay, and allowances of general while so serving: *And provided further*, That the designation of any officer as authorized by this section shall not create a vacancy in any grade of the Marine Corps nor increase the total number of officers allowed by law.

*Ante*, pp. 798, 831.  
*Ante*, pp. 811, 863.

(b) In time of war or national emergency the designations authorized by this section shall be made from officers not below the grade of colonel, and at all other times from among officers above the grade of colonel.

Pay and allowances.

(c) Each officer so designated shall receive the pay and allowances now or hereafter prescribed by law for the grade in which serving pursuant to this section from the date of reporting for the duty designated and until detached therefrom, at which time he shall resume his regular grade and lineal position on the active list of the Marine Corps.

Precedence.

(d) Officers serving in the grade of lieutenant general pursuant to this section shall, while so serving, have such precedence among themselves in that grade as may be determined by the Secretary of the Navy.

Retirement.

(e) Any officer of the Marine Corps who may be retired while serving in accordance with the provisions of this section, or subsequent to

such service, may, in the discretion of the President, by and with the advice and consent of the Senate, when retired, be placed on the retired list with the highest grade or rank held by him while on the active list: *Provided*, That no increase in retired pay shall accrue solely as the result of such advancement in rank on the retired list.

#### RETIREMENT AGE LIMIT FOR OFFICERS

SEC. 416. (a) Nothing in titles I through IV of this Act shall be held to supersede, amend, or repeal the provisions of existing law relating to the retirement of officers attaining the age of sixty-two years.

(b) Nothing in titles I through IV of this Act shall be held to repeal sections 1506 or 1507 of the Revised Statutes.

34 U. S. C. §§ 341, 342.

#### AMENDMENT OF THE ACT OF APRIL 18, 1946 (PUBLIC LAW 347, SEVENTY-NINTH CONGRESS)

SEC. 417. The Act of April 18, 1946 (Public Law 347, Seventy-ninth Congress), is hereby amended as follows:

Substitute a comma for the period at the end of section 4 and add the following: "and such authorized number of commissioned officers shall include officers now or hereafter carried under any provision of law as additional or extra numbers in grade."

60 Stat. 92.  
34 U. S. C. § 2 *et seq.*  
*Ante*, pp. 738, 867.

#### AMENDMENT OF THE ACT OF AUGUST 27, 1940 (54 STAT. 864), AS AMENDED (34 U. S. C. 737, 737 (A))

SEC. 418. The Act of August 27, 1940 (54 Stat. 864), as amended (34 U. S. C. 737, 737 (a)), is hereby further amended as follows:

Insert a period after the word "necessary" in the first sentence of section 2 and delete from the same said first sentence the following: "and the authorized number of commissioned officers of the line of the Navy and Marine Corps is increased accordingly."

#### AMENDMENT OF THE ACT OF JUNE 27, 1942 (56 STAT. 422)

SEC. 419. The Act of June 27, 1942 (56 Stat. 422), as amended, is hereby further amended as follows:

Insert a period after the word "necessary" in the first sentence of section 1 and delete from the same said first sentence the following: "and the authorized number of commissioned officers of the line and of each staff corps to which such appointments may be made is increased accordingly."

34 U. S. C. §§ 338-338g.

#### AMENDMENT OF THE ACT OF JUNE 30, 1914 (38 STAT. 404), AS AMENDED

SEC. 420. So much of the Act of June 30, 1914 (38 Stat. 404), as amended by the Acts of August 29, 1916 (39 Stat. 576), July 1, 1918 (40 Stat. 708), and June 25, 1940 (54 Stat. 527), as relates to the commissioned officer strength of the active list of the staff corps of the Navy, is hereby further amended to read as follows:

34 U. S. C. § 3 *et seq.*  
*Ante*, p. 96.

"The total authorized number of commissioned officers of the active list, exclusive of commissioned warrant officers, of the Supply Corps and Civil Engineer Corps shall be 12 and 3 per centum, respectively, of the total authorized number of commissioned officers of the active list of the line of the Navy. The total authorized number of commissioned officers of the Medical Corps, Dental Corps, Chaplain Corps, and Nurse Corps shall be sixty-five one-hundredths of 1 per centum, twenty one-hundredths of 1 per centum, and one hundred and twenty-five one-thousandths of 1 per centum, and six-tenths of 1 per

Authorized number of officers.

60 Stat. 1057.  
34 U. S. C. § 1020  
*et seq.*  
*Post*, p. 880.

centum, respectively, of the sum of the total authorized number of commissioned officers of the Navy and Marine Corps (exclusive of commissioned warrant officers), the total authorized number of enlisted men of the Navy and Marine Corps, the total authorized number of midshipmen at the Naval Academy, the actual number of commissioned warrant officers, and warrant officers on the active list of the Navy and Marine Corps, and the actual number of midshipmen on active duty for flight training pursuant to the Act of August 13, 1946 (Public Law 729, Seventy-ninth Congress). The Secretary of the Navy shall make computations to determine the authorized strength of the Medical Corps, the Dental Corps, the Chaplain Corps, the Medical Service Corps, and the Nurse Corps, as of the date of approval of this Act and, thereafter, as of January 1 of each year, and the number so determined for each such corps shall be considered the authorized number of officers for that corps until a subsequent computation is made as of January 1 of each year, and the numbers so determined, which shall be considered the authorized number of officers for each corps, shall not be varied between computations."

SERVICE IN GRADE TO INCLUDE SERVICE IN GRADE UNDER TEMPORARY  
APPOINTMENT

SEC. 421. In computing length of service in grade under any provision of titles I through IV of this Act each officer on active duty on the date of this Act shall be credited with all time from the date of rank in his grade or in a higher grade, whether under permanent appointment or temporary appointment, whichever is earlier: *Provided*, That any officer promoted in grade subsequent to the date of approval of this Act shall be credited with service in the grade to which so promoted only from the date of his eligibility for promotion to that grade: *And provided further*, That notwithstanding the foregoing, no officer who has not lost numbers or precedence shall become eligible for consideration by a selection board until all officers of his grade senior to him in lineal position become so eligible.

CONTINUATION OF TEMPORARY APPOINTMENTS OF CERTAIN MEMBERS OF  
THE HOSPITAL CORPS AND THE NAVAL RESERVE

34 U. S. C. §§ 350-  
350j.  
*Ante*, pp. 312, 313.

*Ante*, p. 829.

*Ante*, p. 833.

SEC. 422. (a) Members of the Naval Reserve ordered to active duty in connection with organizing, administering, recruiting, instructing, training, or drilling the Naval Reserve, or ordered to temporary active duty for the purpose of prosecuting special work, who on the date of approval of this Act are serving under temporary appointments pursuant to the Act of July 24, 1941 (55 Stat. 603), as amended, in grades above commissioned warrant officer may continue to serve under such temporary appointments until not later than six months after June 30 of the fiscal year following that in which the present war shall end, and such temporary appointments shall be deemed to have been made pursuant to title III of this Act: *Provided*, That no such officer may be continued on active duty in a grade higher than that required to maintain, with respect to officers placed on a lineal list pursuant to section 304 of this Act, the relative precedence to which he was entitled immediately prior to the establishment of the appropriate lineal list. The President is authorized to effect such temporary adjustment of grade and date of rank of such officers as is required to accomplish the purpose of this proviso, and no such temporary adjustment shall remain in effect later than six months after June 30 of the fiscal year following that in which the present war shall end.

(b) Members of the Hospital Corps of the Navy and Naval Reserve who, on the date of approval of this Act, are serving under temporary appointments pursuant to the Act of July 24, 1941 (55 Stat. 603), as amended, in grades above commissioned warrant officer may continue to serve under such temporary appointments until the effectuation of their appointments in the Medical Service Corps of the Navy or until and including the last day of the eleventh month following the date of approval of this Act, whichever may be earlier.

34 U. S. C. §§ 350-350j.  
Ante, pp. 312, 313.

SPECIFICATIONS BY SECRETARY OF NAVY OF QUALIFICATIONS TO BE REQUIRED  
IN CERTAIN OFFICERS FOR SELECTION TO FLAG RANK

SEC. 423. (a) Notwithstanding any other provision of titles I through IV of this Act, whenever in the opinion of the Secretary of the Navy there is an inadequate number of officers to meet the needs of the service in the grade of rear admiral in the line or in any staff corps of the Navy, or in the grade of brigadier general or major general in the Marine Corps, who are specially qualified for a type of duty required of officers of that grade, the Secretary of the Navy may direct that, of the total number of officers which a selection board may recommend for promotion to such a grade, such number, as determined by him to be necessary to meet the needs of the service, shall be officers who are specially qualified for the required type of duty: *Provided*, That if an officer of any grade who is junior in lineal rank to the junior officer in the promotion zone of the same grade be selected for promotion solely by reason of the foregoing, the selection board shall so certify in its report.

(b) An officer of any grade junior in lineal rank to the junior officer in the promotion zone of the same grade who may be promoted by virtue of selection for promotion solely by operation of subsection (a) of this section shall, when one or more officers junior in lineal rank to the junior officer in such promotion zone are promoted pursuant to selection by the board convened next following that which selected the first-mentioned officer, have precedence in the grade for which selected according to his relative precedence with such other officer or officers in the grade from which promoted if at the time of his selection another officer junior to him in lineal rank was not selected other than pursuant to subsection (a) of this section and, if all the officers concerned be of a given staff corps of the Navy, the first-mentioned officer, when all others concerned are promoted, shall be reassigned a running mate as if he were selected when the other officers concerned were selected. When all the officers concerned shall have been promoted to the grade for which selected, the President shall assign the first-mentioned officer such later date of rank in his grade that will insure the order of precedence herein prescribed and such officer thereafter shall take rank for all purposes from such later date.

Precedence.

Reassignment of  
running mate.

AMENDMENT OF THE ACT OF MAY 4, 1898 (30 STAT. 380), AS AMENDED  
(34 U. S. C. 21)

SEC. 424. So much of the Act of May 4, 1898 (30 Stat. 380), as amended by the Act of March 18, 1940 (54 Stat. 54), the Act of March 17, 1941 (55 Stat. 43), and the Act of August 8, 1946 (60 Stat. 932), is hereby further amended to read as follows:

"In addition to the number of officers of the Medical Corps of the Navy authorized by other provisions of law the President may appoint, without the advice and consent of the Senate, for temporary service in such corps, lieutenants (junior grade) who shall while so serving

34 U. S. C. § 21.

Appointment of  
lieutenants (jg) for  
temporary service in  
Medical Corps.

receive the pay and allowances now or hereafter prescribed by law for that grade. Notwithstanding any other provision of law to the contrary, persons appointed pursuant to the authority contained in this Act shall not be placed on the lineal list of the Medical Corps, shall not be assigned running mates, and shall not be eligible for promotion while serving under such temporary appointments. The number of persons who may be so serving at any one time pursuant to this Act shall not exceed two hundred and fifty: *Provided*, That in time of war of declared national emergency the number of persons who may be so temporarily appointed and who may so serve may be increased to the extent determined by the President as necessary to meet the exigencies of the naval service."

#### AMENDMENT OF PUBLIC LAW 729, SEVENTY-NINTH CONGRESS

60 Stat. 1061.  
34 U. S. C. § 405a.

SEC. 425. Section 12 of the Act of August 13, 1946 (Public Law 729, Seventy-ninth Congress, second session), is hereby amended by substituting the word "three" for the word "six" therein.

#### SPECIAL PROVISIONS

50 U. S. C. app.  
§§ 806-814; 34 U. S. C.  
§§ 350, 737a, 853c-2a.  
56 Stat. 464.  
50 U. S. C. app.  
§§ 808, 809; 34 U. S. C.  
§§ 737a, 853c-2a.

SEC. 426. (a) The provisions of the Act of June 30, 1942 (56 Stat. 463), as amended, which relate to personnel of the Navy and Marine Corps, with the exception of sections 3 and 4 of the said Act, are hereby repealed, but this repeal shall in no way affect any provision of the said Act insofar as it relates to the personnel of the Coast Guard.

(b) Nothing in titles I through IV of this Act shall be held to affect any provision of law which relates to personnel of the Coast Guard, Coast and Geodetic Survey, or Public Health Service.

#### AMENDMENT OF THE ACT OF DECEMBER 28, 1945 (59 STAT. 666)

5 U. S. C. § 456c.

SEC. 427. Effective thirty days after the second appointment of an officer of the Dental Corps of the Regular Navy to the grade of rear admiral pursuant to the provisions of titles I through IV of this Act, section 3 of the Act of December 28, 1945 (59 Stat. 666), is amended as follows:

(a) In the second sentence of said section 3, after the word "Navy" insert the words "of the grade of rear admiral".

(b) Strike out the third sentence of said section 3.

#### AMENDMENT OF PUBLIC LAW 56, EIGHTIETH CONGRESS

*Ante*, p. 93.

SEC. 428. Effective thirty days after the first appointment of an officer of the Chaplain Corps of the Regular Navy to the grade of rear admiral pursuant to the provisions of titles I through IV of this Act, section 1 of the Act of May 15, 1947 (Public Law 56, Eightieth Congress), is amended to read as follows:

"That there shall be in the Bureau of Naval Personnel a Chief of Chaplains, designated by the Chief of Naval Personnel from among officers of the Chaplain Corps of the Regular Navy not below the grade of rear admiral, and such officer shall, while so serving, receive the pay and allowances provided by law for rear admirals of the upper half."

#### AMENDMENT OF THE ACT OF JANUARY 20, 1942 (56 STAT. 10, 34 U. S. C. 622)

SEC. 429. Section 1 of the Act of January 20, 1942 (56 Stat. 10, 34 U. S. C. 622) is amended by deleting the words "Lieutenant general" and substituting therefor the word "general".

LIMITATION ON NUMBER OF RESERVE AND RETIRED OFFICERS SERVING ON  
ACTIVE DUTY IN FLAG RANKS

SEC. 430. In addition to fleet admirals and to the number of rear admirals and above authorized by titles I, II, and III and by section 413 of this Act, a total of not to exceed ten retired and Reserve officers may be serving on active duty in the grade of rear admiral or above: *Provided*, That the above shall be exclusive of retired officers ordered to temporary active duty on boards of officers as provided in titles I through IV of this Act: *And provided further*, That the above restrictions shall not apply in time of war or national emergency declared after the date of approval of this Act.

*Ante*, pp. 798, 815,  
829.  
*Ante*, p. 875.

COMPUTATION OF RETIRED PAY

SEC. 431. Officers of the Navy, the Marine Corps, and the Reserve components thereof, heretofore or hereafter retired under any provision of law shall have their retired pay computed on the basis of the rates of pay which are now or may be hereafter provided by law for officers on the active list.

AMENDMENTS TO CERTAIN ACTS RELATING TO RETIRED PAY

SEC. 432. (a) Subsection (a) of section 7 of the Act of February 21, 1946 (Public Law 305, Seventy-ninth Congress, second session), is hereby amended by striking out the period at the end thereof and substituting in lieu thereof the following: “: *And provided further*, That in the case of officers hereafter retired, except those retired for physical disability or in accordance with section 412 of this Act, whose computation of pay on the active list is not based upon years of service they shall receive retired pay at the rate of 2½ per centum of their active-duty pay in the grade in which serving at the time of retirement multiplied by the number of years of service for which they would be entitled to credit in the computation of pay on the active list had they been serving in the grade of captain in the Navy or colonel in the Marine Corps at the time of their retirement, but retired pay so computed shall not exceed a total of 75 per centum of said active-duty pay.”

60 Stat. 27.  
34 U. S. C. § 410c (a).

Retired pay.

(b) Section 9 of the Act of February 21, 1946 (Public Law 305, Seventy-ninth Congress, second session), is hereby amended by inserting between the second and third provisos thereof the following new proviso: “*Provided further*, That in the case of an officer hereafter retired whose computation of pay on the active list is not based upon years of service he shall receive retired pay at the rate of 2½ per centum of his active-duty pay in the grade in which serving at the time of retirement multiplied by the number of years of service for credit in the computation of pay on the active list had he been serving in the grade of captain in the Navy or colonel in the Marine Corps at the time of his retirement, but retired pay so computed shall not exceed a total of 75 per centum of said active-duty pay.”

60 Stat. 28.  
34 U. S. C. § 410d.

(c) This section shall be effective as of the date of approval of this Act.

Effective date.

AMENDMENT OF THE ARMY-NAVY MEDICAL SERVICES CORPS ACT OF 1947

SEC. 433. The Army-Navy Medical Service Corps Act of 1947 is hereby amended as follows:

*Ante*, p. 734.

(a) The second paragraph of section 201 and sections 202 and 208 are hereby repealed.

*Ante*, pp. 736, 737,  
738.

(b) Renumber the present sections 203, 204, 205, 206, 207, and 209, as sections 202, 203, 204, 205, 206, and 207, respectively.

*Ante*, pp. 737, 738.

*Ante*, p. 737.

(c) In the first sentence of the present section 204, strike out "203" and substitute therefor "202".

*Ante*, p. 738.

(d) In the present section 206 strike out "204" wherever appearing and substitute therefor "203"; and in said section 206 insert before the colon the following: "as amended".

AMENDMENTS TO THE ACT OF APRIL 16, 1947 (PUBLIC LAW 36,  
EIGHTIETH CONGRESS)

*Ante*, p. 47.

SEC. 434. (a) Section 201 of the Act of April 16, 1947 (Public Law 36, Eightieth Congress), is hereby amended by striking out the colon as it appears after the word "ensign" in the second sentence thereof and substituting a period therefor, and by deleting the proviso and the last sentence thereof.

*Ante*, p. 47.

(b) Section 203 of the Act of April 16, 1947 (Public Law 36, Eightieth Congress), is hereby amended by deleting the last sentence and the proviso thereof.

*Ante*, p. 48.

(c) The Act of April 16, 1947 (Public Law 36, Eightieth Congress), is hereby amended by striking out the words "the Medical Corps and the Dental Corps" as they appear in section 205 thereof and substituting therefor the words "the Medical, Dental, and Medical Service Corps".

*Ante*, p. 49.

(d) Section 207 of the Act of April 16, 1947 (Public Law 36, Eightieth Congress), is hereby amended by striking out subsection (a) thereof, and by redesignating the present subsections (b), (c), (d), (e), (f), (g), (h), (i), and (j) thereof as subsections (a), (b), (c), (d), (e), (f), (g), (h), and (i), respectively.

SPECIAL PROVISION FOR NURSES

*Ante*, p. 47.

SEC. 435. Nurses appointed in the Nurse Corps of the Regular Navy pursuant to section 203 of the Act of April 16, 1947 (Public Law 36, Eightieth Congress), shall be deemed for all purposes as holding permanent commissions in the Regular Navy.

ACTS REPEALED

SEC. 436. All laws or parts of laws inconsistent with the provisions of titles I through IV of this Act are hereby repealed, and the provisions of titles I through IV of this Act shall be in effect in lieu thereof and such repeal shall include but shall not be limited to the following Acts or parts of Acts:

34 U. S. C. § 395.

(a) Section 1481 of the Revised Statutes of the United States.

(b) That part of the Act of August 29, 1916 (39 Stat. 556), as amended, which appears on page 609 and the following of volume 39 of the Statutes at Large under the title "Marine Corps" except the fourth proviso of the second (34 U. S. C. 621), and so much of the seventh as appears in Thirty-fourth United States Code, 635 and 639; the eighth (34 U. S. C. 640); the last sentence of the tenth (34 U. S. C. 665, 666); and the fifteenth (34 U. S. C. 701, 702) paragraphs thereof.

(c) The first paragraph of section 18 of the Act of May 22, 1917 (40 Stat. 84; 34 U. S. C. 212-215).

*Ante*, p. 48.

(d) The Act of June 10, 1926 (44 Stat. 717; 34 U. S. C. 348 and following), as amended.

34 U. S. C. § 626a et seq.

(e) Sections 1, 2, 4, 5, 6, 7, 8, and 10 of the Act of May 29, 1934 (48 Stat. 811), as amended.

34 U. S. C. §§ 348c, 349-349k.

(f) The Act of August 5, 1935 (49 Stat. 530), as amended.

34 U. S. C. § 2 et seq.

(g) The Act of June 23, 1938 (52 Stat. 944), as amended.

34 U. S. C. § 3 et seq.

(h) The Act of June 25, 1940 (54 Stat. 527), except section 1 thereof.

(i) The Act of July 17, 1941 (55 Stat. 598; 34 U. S. C. 212a).

(j) Section 1 of the Act of June 16, 1942 (56 Stat. 370; 34 U. S. C. 398b).

(k) Sections 1 to 6, inclusive, of the Act of March 3, 1899 (30 Stat. 1004). 34 U. S. C. §§ 395, 1126, 274.

(l) The first proviso of the Act of December 19, 1913 (38 Stat. 241; 34 U. S. C. 623).

(m) The first paragraph of section 30 of the Act of March 4, 1925 (43 Stat. 1279; 34 U. S. C. 399), as amended.

(n) The Act of January 16, 1936 (49 Stat. 1092; 34 U. S. C. 399f).

(o) The Act of February 23, 1942 (56 Stat. 120; 34 U. S. C. 399h).

(p) Section 206 of the Act of April 16, 1947 (Public Law 36, Eightieth Congress). Ante, p. 48.

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### REGULAR ARMY OFFICERS—AUTHORIZED STRENGTH

SEC. 501. There is authorized a strength of fifty-one thousand active list commissioned officers in the Regular Army, exclusive of the numbers authorized by law for the Army Nurse Corps, the Women's Medical Specialist Corps, professors of the United States Military Academy, and any numbers authorized by special provisions of law providing for officers in designated categories as additional numbers.

### REGULAR ARMY OFFICERS—APPOINTMENT—ASSIGNMENT IN BRANCH— AUTHORIZED STRENGTH OF BRANCHES

SEC. 502. (a) In addition to the officers permanently appointed in general officer grades above that of major general (authorized by other provisions of law), Regular Army officers shall be permanently Appointment by President.



appointed by the President, by and with the advice and consent of the Senate, in the Regular Army in the commissioned officer grades of major general, brigadier general, colonel, lieutenant colonel, major, captain, first lieutenant, and second lieutenant.

General officers.

(b) Officers holding permanent appointments in any general officer grade in the Regular Army shall be known as general officers of the Regular Army. Appointments of officers in general officer grades in the Regular Army shall be made in the Medical Corps, in the Dental Corps, in the Veterinary Corps, and as chaplains; but otherwise they shall be made in the Regular Army without specification of branch, arm, or service. When the appointments are in the Medical Corps, the Dental Corps, the Veterinary Corps, and as chaplains, general officers of the Regular Army may be specifically referred to as general officers, Medical Corps, Regular Army; general officers, Dental Corps, Regular Army; general officers, Veterinary Corps, Regular Army; and general officers, chaplains, Regular Army.

Grades below brigadier general.

(c) Appointments of officers in commissioned officer grades below that of brigadier general in the Regular Army shall be made in the Air Corps, in each of the several corps of the Medical Department, as chaplains, and as professors of the United States Military Academy; but otherwise they shall be made in the Regular Army without specification of branch, arm, or service. Those appointed without specification of branch, arm, or service shall be assigned (and may from time to time be transferred and reassigned) by the Secretary of War in the several branches, arms, and services of the Regular Army (excluding the Air Corps, the several corps of the Medical Department, and the chaplains) according to the professional qualifications of the officers concerned and the needs of the branches, arms, and services: *Provided*, That assignments, transfers, and reassignments of officers of the Corps of Engineers to and from duties involving the civil functions of the Corps of Engineers shall be made only by approval of the Secretary of War upon the recommendation of the Chief of Engineers.

Officers of Corps of Engineers.

Determination of officer strength.

(d) The authorized active list commissioned officer strength of the Air Corps of the Regular Army; of each of the several corps of the Medical Department of the Regular Army; of the Chaplains of the Regular Army; and of each of the several corps, arms, and services of the Regular Army in which officers are assigned (as distinguished from those in which officers are appointed); shall, from time to time, be determined by the Secretary of War (within the authorized active list commissioned officer strength of the Regular Army and within any limitations provided by laws enacted after January 1, 1947).

Details.

(e) Under regulations prescribed by the Secretary of War, officers appointed or assigned in one branch, arm, or service, may be detailed in, or for duty with, any other branch, arm, or service.

Persons vested with office under appointments as officers.

(f) Persons now vested with office in the Regular Army in the several commissioned officer grades under appointments as officers in the several branches, arms, and services (excluding those appointed in the Air Corps, the several corps of the Medical Department, as Chaplains, and as professors of the United States Military Academy) shall be deemed to hold such office under appointments in the Regular Army without specification of branch, arm, or service and to be assigned in the branch, arm, or service specified in their appointments.

Effective date.

(g) This section shall not become effective until December 31, 1947, for the purpose during the interim of administering the Act of December 28, 1945 (Public Law 281, Seventy-ninth Congress, 59 Stat. 663), as amended, and other Acts or provisions of law providing for the appointment of persons as additional officers of the Regular Army; but otherwise this section shall be effective on the date of enactment of this Act.

GENERAL OFFICERS OF THE REGULAR ARMY—AUTHORIZED NUMBERS—  
SENIORITY LIST—DATE OF RANK

SEC. 503. (a) There is authorized on the active list of the Regular Army a strength of general officers of the Regular Army (exclusive of the numbers of general officers authorized for the several corps of the Medical Department and the chaplains) equal to three-fourths of 1 per centum of that number which equals the authorized active list commissioned officer strength of the Regular Army less the authorized active list commissioned officer strengths of the several corps of the Medical Department and the chaplains, of which not more than 50 per centum may be in permanent grade above that of brigadier general; and, in addition, a strength of general officers of the Regular Army in the Medical Corps equal to one-half of 1 per centum of the authorized active list commissioned officer strength of such corps, of which not more than 50 per centum may be in permanent grade above that of brigadier general; and, in addition, a strength of general officers of the Regular Army in the Dental Corps equal to one-half of 1 per centum of the authorized active list commissioned officer strength of such corps, of which not more than 50 per centum may be in permanent grade above that of brigadier general; and, in addition, a strength of general officers of the Regular Army in the Veterinary Corps equal to one-half of 1 per centum of the authorized active list commissioned officer strength of such corps, of which not more than 50 per centum may be in permanent grade above that of brigadier general; and, in addition, a strength of general officers of the Regular Army as chaplains equal to one-half of 1 per centum of the authorized active list commissioned officer strength of the chaplains of the Regular Army, of which not more than 50 per centum may be in permanent grade above that of brigadier general: *Provided*, That there shall be no additional appointments in any permanent grade above that of major general: *Provided further*, That the percentages above specified shall not result in more than three hundred and fifty-seven officers on the active list of the Regular Army in permanent grade above that of colonel, of which there shall be not more than sixteen in the Medical Corps, four in the Dental Corps, one in the Veterinary Corps, two chaplains, and three hundred and thirty-four in the Army, exclusive of Medical Department and chaplains; and of such total number there shall be not more than one hundred and seventy-eight on the active list of the Regular Army in permanent grade above that of brigadier general and of such one hundred and seventy-eight there shall be not more than eight in the Medical Corps, none in the Veterinary Corps, two in the Dental Corps, one chaplain, and one hundred and sixty-seven in the Army, exclusive of Medical Department and chaplains; and of the foregoing total number of permanent general officers of the Regular Army, unless a National emergency is declared after the date of this Act and before July 1, 1948, there shall, after such date, and until a National emergency is thereafter declared, be not more than forty-four serving in any grade above that of major general as specifically limited in section 504 of this title: *Provided further*, That of the three hundred and thirty-four Regular Army officers authorized in permanent grade above that of colonel in the Army, exclusive of Medical Department and chaplains, specified in the preceding proviso, there shall be in the Army less the Air Corps and in the Air Corps, respectively, not more than such numbers as are derived by allotments to each, proportional to the respective strengths authorized for the Army promotion list and the Air Corps promotion list; and of each such allotment there shall be not more than 50 per centum in permanent grade above that of brigadier general: *And provided further*, That, whenever the application of the percentages specified in this

Authorized strength.

Additional appointments.

Authorized numbers.

Fractions.

Appointments in  
Diplomatic Service,  
etc.

section results in a fraction of a whole number, fractions of one-half and greater shall be counted as a whole number and fractions of less than one-half shall be disregarded: *And provided further*, That the numbers of general officers set forth in this subsection and in the several provisos thereof shall be exclusive of general officers on the active list of the Regular Army who are specifically authorized by Acts of Congress to hold appointments in the Diplomatic or Consular Service of the Government or to hold any civil office under the Government or any instrumentality thereof.

Maintenance of  
seniority list.

(b) There shall be maintained a seniority list of the general officers of the Regular Army. The first name on the list shall be that of the general officer most senior in permanent general officer grade; the second name on the list shall be that of the senior next below the first; the third on the list shall be that of the senior next below the second; and so on throughout the list.

Brigadier generals.

(c) **DATE OF RANK.**—(1) The date of rank of an officer appointed in the grade of brigadier general in the Regular Army shall be the date of appointment: *Provided*, That, if at time of appointment he holds office in temporary grade of brigadier general or any higher temporary grade, his date of rank shall be the date of rank held in such temporary grade, or formerly held in the temporary grade of brigadier general if appointed to higher temporary grade from that grade; but in no event shall such date of rank be earlier than that of the junior officer in the permanent grade of brigadier general in the Regular Army.

Major generals.

(2) The date of rank of an officer appointed in the grade of major general in the Regular Army shall be the date of rank held by such officer in the grade of brigadier general in the Regular Army: *Provided*, That, if at time of appointment he does not hold office in permanent grade of brigadier general, but does hold office in the temporary grade of brigadier general or higher temporary grade, his date of rank shall be the date of rank held in such temporary grade, or formerly held in the temporary grade of brigadier general if appointed to higher temporary grade from that grade: *And provided further*, That such date of rank shall not be earlier than that of the junior officer in the permanent grade of major general in the Regular Army.

Effective date.  
Repeals.

(d) The provisions of this section shall be effective immediately upon the enactment of this Act and the following Acts and parts of Acts and all other laws or parts of laws inconsistent or in conflict with the provisions of this section are hereby repealed:

41 Stat. 760.

(1) That part of section 4 of the National Defense Act, as amended, which precedes the paragraph commencing with the words, "Sec. 4a." (10 U. S. C. 482, 483, 487, 551).

(2) The Act of May 28, 1940 (54 Stat. 227; 10 U. S. C. 482c).

(3) Section 4 of the Act of June 13, 1940 (54 Stat. 381), as amended (10 U. S. C. 551a).

#### GENERAL OFFICERS—ASSIGNMENTS—POSITIONS CARRYING RANK OF GENERAL AND LIEUTENANT GENERAL

SEC. 504. (a) General officers holding office in any general officer grade, under permanent or temporary appointments, including general officers of the Army of the United States, or any component thereof, serving on active Federal duty, may be assigned or detailed to any duties or positions under regulations prescribed by the President.

Designation of cer-  
tain positions by  
President, etc.

(b) The President is authorized, from time to time, to designate certain positions of importance and responsibility which shall carry the rank of general and lieutenant general, respectively, and to designate and assign to such positions any of the general officers holding

office in the grade of major general or higher grade, under permanent or temporary appointments (including general officers of the Army of the United States and general officers of each of the components thereof who may be serving on active Federal duty), and such officers, so designated and assigned, shall have the rank, title, pay, and allowances of a general or lieutenant general, as the case may be, while so serving, without vacation of their permanent grade, and, upon termination of such an officer's service in any such position he shall resume his permanent grade or whatever temporary grade he may, at that time, be entitled to hold: *Provided*, That such officers shall have the rank, title, pay, and allowances of a general or lieutenant general under the provisions of this section only when appointed in such positions by the President, by and with the advice and consent of the Senate: *Provided further*, That the number of such positions and the number of officers serving in such positions shall not exceed 15 per centum of the total number of general officers serving on active Federal military duty (including those holding office under temporary appointments and general officers of the Army of the United States, and the several components thereof), and, of such number not more than 25 per centum may be positions carrying the rank of general: *Provided further*, That, unless a national emergency is declared after the date of this Act and before July 1, 1948, there shall, after such date, and until a national emergency is thereafter declared, be no additional officers appointed in any grade above that of general and the total number of officers serving on active duty in grades above major general under this section or any other provision of law, shall not exceed the following: Forty-four in grade of lieutenant general or higher grade, of which not more than nine shall be above the grade of lieutenant general, and of the nine above the grade of lieutenant general, one shall be the Chief of Staff of the Army and one shall be the officer occupying the corresponding position of the Army Air Forces, and of the remaining seven above the grade of lieutenant general there shall be not more than four in the Army less the Air Corps and not more than three in the Air Corps and of the total forty-four in grade of lieutenant general or higher, there shall be not more than twenty-seven in the Army less the Air Corps and not more than seventeen in the Air Corps; except that there may be a general officer, either of the Air Corps or other than of the Air Corps, appointed as Chief of Staff to the President, and such officer, unless he be entitled to rank, title, or grade, and the pay and allowances of a general, or of a higher grade under some other provision of law, shall, when appointed to such position by and with the advice and consent of the Senate, have the rank, title, pay, and allowances of a general and he shall be additional to the numbers hereinbefore set forth in this proviso: *And provided further*, That the numbers of general officers set forth in this subsection and in the several provisos thereof shall be exclusive of general officers on the active list of the Regular Army who are specifically authorized by Acts of Congress to hold appointments in the Diplomatic or Consular Service of the Government or to hold any civil office under the Government or any instrumentality thereof.

(c) Within the limitations as to numbers in grade prescribed in this Act, one officer of the Navy, including the Marine Corps, one officer of the Army less the Air Corps, and one officer of the Air Corps, when designated by the President, by and with the advice and consent of the Senate, as senior members of the Military and Naval Staff Committee of the United Nations shall, while so serving, be entitled to the rank, pay, and allowances of a vice admiral or lieutenant general, as the case may be, and, in addition thereto, a personal money allowance of \$2,200 per year.

Rank, pay, etc.

Number of positions, etc.

Additional appointments.

Total number.

Appointments in Diplomatic Service, etc.

Members of Military and Naval Staff Committee, United Nations.

## Retirement.

(d) Any officer of the Regular Army who may be retired while serving in accordance with the provisions of subsection (b) or (c) of this section, or subsequent to such service, may, in the discretion of the President, by and with the advice and consent of the Senate, when retired, be placed on the retired list with the highest such grade or rank held by him while on the active list: *Provided*, That no increase in retired pay shall accrue solely as the result of such advancement in grade or rank on the retired list: *Provided further*, That the President, by and with the advice and consent of the Senate, may in his discretion extend the privilege herein granted to officers heretofore or hereafter retired, who served in the grade of general or lieutenant general between December 7, 1941, and June 30, 1946.

## 56 Stat. 362.

(e) The second paragraph of section 7 of the Pay Readjustment Act of 1942, as amended (37 U. S. C. 107), is hereby amended to read as follows:

## Pay and allowances.

"Officers of the Navy serving in the grade of vice admiral, officers of the Army serving in the grade of lieutenant general, and officers of the other services mentioned in the title of this Act serving in corresponding grades, shall be entitled, while so serving, to the pay and allowances of a rear admiral (upper half) and to a personal money allowance of \$500 per year. Officers of the Navy serving in the grade of admiral, officers of the Army serving in the grade of general, and officers of the other services mentioned in the title of this Act serving in corresponding grades, shall be entitled, while so serving, to the pay and allowances of a rear admiral (upper half) and to a personal money allowance of \$2,200 per year. Officers serving as the Chief of Naval Operations, the Chief of Staff of the Army, or in the corresponding position in the Army Air Forces, or as the Commandant of the Marine Corps, shall be entitled, while so serving, to the pay and allowances of a rear admiral (upper half) and to a personal money allowance of \$4,000 per year."

## Repeal.

(f) The Act of August 5, 1939 (53 Stat. 1214), as amended (10 U. S. C. 482b), is hereby repealed.

REGULAR ARMY OFFICERS—AUTHORIZED NUMBERS IN GRADES BELOW  
BRIGADIER GENERAL—PROMOTION LISTS—SENIORITY—DATE OF RANK

## Promotion-list officers.

SEC. 505. (a) The names of all active list commissioned officers of the Regular Army in permanent grades below that of brigadier general (except professors of the United States Military Academy, officers of the Army Nurse Corps, and Women's Medical Specialist Corps, and officers in special categories excluded by some express provision of law) shall be carried on promotion lists as hereinafter prescribed and such officers may be referred to as promotion-list officers. As used in this section the phrase "total authorized promotion-list strength" means the authorized active list commissioned officer strength of the Regular Army, exclusive of the numbers authorized by law for the Army Nurse Corps, the Women's Medical Specialist Corps, professors of the United States Military Academy, any numbers authorized by special provisions of law providing for officers in designated categories as additional numbers and the number of active list general officers of the Regular Army.

## "Total authorized promotion - list strength."

## Schedule of percentages.

(b) (1) The authorized numbers in each of the several grades in each of the several promotions lists shall be prescribed by the Secretary of War by a schedule of percentages in grades for each list (there being authorized for each grade a percentage of the total strength authorized for that list), which schedule of percentages may be different for each promotion list, but the numbers thus authorized in each of the several grades in each of the several promotion lists shall not exceed any limitations prescribed by laws enacted after January

1, 1947, and shall not exceed in any promotion list the following percentages of the total strength authorized for that list: 8 per centum in grade of colonel, 14 per centum in grade of lieutenant colonel, 19 per centum in grade of major, 23 per centum in grade of captain, 18 per centum in grade of first lieutenant, and 18 per centum in grade of second lieutenant: *Provided*, That in the Medical Corps, Dental Corps, and chaplains promotion lists there shall be no second lieutenants, and the numbers authorized in the grade of first lieutenant in such promotion lists shall be all those not authorized in higher grades: *Provided further*, That numbers may be authorized for any grade in any promotion list in lieu of authorizations in higher grades: *And provided further*, That this provision shall not operate to require a reduction in permanent grade of any officer in any promotion list now holding permanent appointment in any grade.

Exclusion of second lieutenants, etc.

Numbers in lieu of authorizations in higher grades.  
Reduction in grade.

(2) The number authorized by the Secretary of War for each grade in each promotion list may be exceeded by the number of vacancies existing in higher grades in that list. The authorized numbers in grades below colonel shall from time to time be temporarily increased as provided in sections 508 and 509 of this title in order to give effect to the promotion system prescribed in those sections.

Authorized number exceeded by vacancies, etc.

*Post*, p. 894.

(c) **PROMOTION LISTS.**—(1) The Army promotion list shall contain the names of all promotion-list officers except officers of the Air Corps, the several corps of the Medical Department, and chaplains.

(2) The Air Corps promotion list shall contain the names of all promotion-list officers of the Air Corps.

(3) The Medical Corps promotion list shall contain the names of all promotion-list officers of the Medical Corps.

(4) The Dental Corps promotion list shall contain the names of all promotion-list officers of the Dental Corps.

(5) The Veterinary Corps promotion list shall contain the names of all promotion-list officers of the Veterinary Corps.

(6) The Medical Service Corps promotion list shall contain the names of all promotion-list officers of the Pharmacy Corps, the Medical Administrative Corps, and the Medical Service Corps.

(7) The chaplains promotion list shall contain the names of all promotion-list chaplains.

(d) **DATE OF RANK AND SENIORITY IN PERMANENT GRADE.**—(1) On each of the several promotion lists, names of officers shall be arranged by grade in which the officers hold permanent appointments in the Regular Army in the following order: First, colonels; second, lieutenant colonels; third, majors; fourth, captains; fifth, first lieutenants; and, sixth, second lieutenants. The words "grade", "senior", and "seniority" as used in this section mean "permanent grade", "senior in permanent grade", and "permanent grade seniority", respectively.

"Grade"; "senior"; "seniority."

(2) Among officers of the same grade and promotion list, names shall be arranged as provided in this title and seniority among such officers shall be established thereby. The officer whose name appears first on the list shall be the senior, the officer whose name appears second on the list shall be the senior next below the first, the officer whose name appears third on the list shall be the senior next below the second, and so on throughout the list.

(3) Among officers of the same grade whose names are not contained on the same promotion list, the officer with the earliest date of rank shall be the senior, and in cases of same date of rank, the officer with the greatest amount of continuous active commissioned service in the Regular Army shall be the senior, and in cases where this is the same, seniority shall be as established at time of original appointment in the Regular Army, and in cases not covered by the foregoing, as established by the Secretary of War. Any officer transferred from one

branch, arm, or service to another, the officers of which are contained on a different promotion list, shall have his name entered upon such new promotion list among the officers in his grade in accordance with their relative seniority as hereinabove defined.

Placement at bottom of list.

(4) Unless specifically provided otherwise, upon appointment of a promotion-list officer in any grade, such officer's name shall be placed at the bottom of the list of officers of the grade in which appointed.

Establishment of designated lists.

(e) (1) The Army and Air Corps promotion lists described in this section shall be established by entering thereon the names of the officers concerned without change in the order of their precedence on the promotion list as established under the law prior to enactment of this Act: *Provided*, That the provisions of subsection 517 (a) of this title shall first be carried out.

*Post*, p. 909.

(2) The Medical Corps, Dental Corps, Veterinary Corps, Medical Service Corps, and Chaplains promotion lists described in this section shall be established by entering thereon the names of the officers concerned without change in the order of their precedence determined by the total amount of service creditable to them for promotion purposes under existing law and in cases of an equal amount of such service, the officer with the greatest amount of continuous commissioned service on the active list of the Regular Army shall have precedence, and in cases where this is the same, precedence shall be in accordance with permanent seniority standing as established at time of original appointment in the Regular Army, and in cases not covered by the foregoing, precedence shall be established by the Secretary of War: *Provided*, That the provisions of subsection 517 (b) of this title shall first be carried out.

*Post*, p. 909.

Effective date.

(f) This section shall not become effective until December 31, 1947, for the purpose, during the interim, of administering the Act of December 28, 1945 (Public Law 281, Seventy-ninth Congress, 59 Stat. 663), as amended, and other Acts or provisions of law providing for the appointment of persons as additional officers of the Regular Army; but otherwise this section shall be effective on the date of enactment of this Act. Effective December 31, 1947, section 24a of the National Defense Act, as amended (10 U. S. C. 553), and section 1 of the Act of July 31, 1935 (49 Stat. 505; 10 U. S. C. 553a), shall be repealed.

10 U. S. C. §§ 481, 505-505d, 552a, 552c.  
*Ante*, pp. 95, 735, 736; *post*, p. 894.

Repeals.  
41 Stat. 771.

#### REGULAR ARMY OFFICERS—PROCUREMENT OF ADDITIONAL OFFICERS

Appointment of additional officers by President.

SEC. 506. (a) Within the authorized active list commissioned officer strength of the Regular Army, the President, by and with the advice and consent of the Senate, is authorized to appoint additional officers in the Regular Army in commissioned officer grades as hereinafter in this section prescribed, subject to the conditions and limitations set forth.

Qualifications.

(b) All persons appointed officers in the Regular Army pursuant to this section shall be citizens of the United States, at least twenty-one years of age, of good moral character, physically qualified for active military service, and shall have such other qualifications as may be prescribed by the Secretary of War.

Service credit.

(c) For the purpose of determining grade, position on promotion list, permanent grade seniority, and eligibility for promotion, each person initially appointed and commissioned an officer in the Regular Army shall, at time of appointment, be credited with an amount of service equivalent to the total period of active Federal service performed after attaining the age of twenty-one years as a commissioned officer in the Army of the United States or any component thereof subsequent to December 31, 1947, and prior to such appointment, but in no event shall any person be credited for such purposes with more than five years of such service. In addition to the foregoing and for

the purposes hereinabove specified, each person appointed and commissioned an officer of the Medical Corps of the Regular Army shall, at time of appointment, be credited with an amount of service equal to four years; each person appointed and commissioned an officer of the Dental Corps, each person appointed a Chaplain of the Regular Army, and each person appointed and commissioned an officer of the Regular Army with a view to assignment in the Judge Advocate General's Department, shall, at time of appointment, be credited with an amount of service equal to three years; each person appointed and commissioned an officer of the Veterinary Corps shall, at time of appointment, be credited with an amount of service equal to two years; and each person appointed and commissioned an officer of the Medical Service Corps who at the time of appointment holds a degree of doctor of philosophy or comparable degree recognized by the Surgeon General in a science allied to medicine may, subject to regulations as prescribed by the Secretary of War, be credited at the time of appointment with an amount of service equal to three years. Notwithstanding the foregoing or any other provisions of law, no person formerly a cadet at the United States Military Academy may be appointed and commissioned an officer of the Regular Army prior to the date on which his classmates at the United States Military Academy are graduated and appointed officers; and any person who was a cadet at, but did not graduate from, the United States Military Academy, shall not, upon appointment as a commissioned officer of the Regular Army, be credited with a period of service greater than the service credited to any member of his class at the Academy whose service in the Army has been continuous since graduation.

Restriction.

(d) Upon the basis of service credited as provided in subsection (c) of this section, the commissioned officer grade in which a person shall be appointed shall be determined as follows: Persons who have no service credit and those who are credited with less than three years' service shall be appointed in the grade of second lieutenant; persons who are credited with three or more years' service, but less than seven years' service, shall be appointed in the grade of first lieutenant; persons who are credited with seven or more years' service shall be appointed in the grade of captain. The names of such persons so appointed shall be placed upon the applicable promotion list immediately below those officers of the same grade having the same or next greater period of service.

Determination of grade.

(e) No person shall be initially appointed in the Regular Army in any commissioned officer grade under the provisions of this section when the length of time from date of birth to date of appointment exceeds: For all persons except those hereinafter specifically mentioned, twenty-seven years; for persons appointed in the Medical Corps, the Dental Corps, and the Veterinary Corps and persons appointed with view to assignment in the Judge Advocate General's Department, thirty-two years; for persons appointed in the Medical Service Corps, thirty years; for persons appointed as chaplains, thirty-four years: *Provided*, That for any person, the number of years from date of birth to date of appointment hereinabove specified shall, respectively, be increased by the number of years, months, and days, of active Federal service performed by such person after attaining the age of twenty-one years as a commissioned officer in the Army of the United States or any component thereof subsequent to December 31, 1947, and prior to such appointment, but not by more than five years: *And provided further*, That until June 30, 1953, the Secretary of War may, in his discretion, waive such maximum age limitations for any person who served in the armed forces of the United States prior to September 2, 1945.

Age limitations.



Graduates of U. S.  
Military Academy.

(f) Notwithstanding any other provision of law, when any cadet of the United States Military Academy has completed the prescribed course of instruction, he may upon graduation be promoted and appointed a second lieutenant in the Regular Army, and whenever any such appointment would result in there being a number of active list commissioned officers in the Regular Army in excess of the authorized active list commissioned officer strength, such strength shall be temporarily increased as necessary to authorize such appointment. The graduates of each class shall be assigned relative seniority among themselves under regulations prescribed by the Secretary of War and no cadet upon graduation, promotion, and appointment shall be given any service credit under the provisions of subsection (c) of this section.

Effective date.

10 U. S. C. §§ 481,  
505-505d, 552a, 552c.  
*Ante*, pp. 95, 735,  
736; *post*, p. 894.

(g) The provisions of this section shall become effective December 31, 1947. Until December 31, 1947, initial appointments of persons as commissioned officers in each of the several arms and services of the Regular Army shall continue to be made in accordance with the provisions of the Act of December 28, 1945 (Public Law 281, Seventy-ninth Congress; 59 Stat. 663), as amended, and other provisions of law authorizing appointments of persons as additional officers of the Regular Army, but effective December 31, 1947, no further appointments shall be made under the provisions of the Act of December 28, 1945, as amended (*supra*). Effective December 31, 1947, each commissioned officer of the Medical Corps who on that date has less than four years' service credit, each commissioned officer of the Dental Corps, each Regular Army Chaplain, and each commissioned officer of the Judge Advocate General's Department, who on that date has less than three years' service credit, and each commissioned officer of the Veterinary Corps, who on that date has less than two years' service credit, shall, for promotion, seniority, and promotion-list-position purposes, be credited on that date with four years' service, three years' service, and two years' service, respectively. Effective December 31, 1947, the following Acts and parts of Acts and all other laws, or parts of laws in conflict or inconsistent with the provisions of this section, shall be repealed:

Service credit.

Repeals.

41 Stat. 774.

(1) Section 24e of the National Defense Act, as amended (10 U. S. C. 484, 64, 92, 122, 141, 151, 123, 231).

(2) The Act of May 17, 1886 (24 Stat. 50; 10 U. S. C. 486).

#### REGULAR ARMY OFFICERS—SELECTION BOARDS—PROMOTION GENERALLY

Recommendation  
for promotion by selec-  
tion board.

SEC. 507. (a) (1) Unless expressly provided otherwise by some provision of law, general officers of the Regular Army and promotion-list officers of the Regular Army shall be permanently promoted to and appointed in the grades of major general, brigadier general, colonel, lieutenant colonel, major, and captain in the Regular Army only when recommended for promotion to those grades by a selection board as provided in this title.

Appointment of  
board members, etc.

(2) Selection boards shall be convened from time to time in such number and under such regulations as the Secretary of War may prescribe. Board members shall be appointed by the Secretary of War. There shall not be less than five members on each board.

(3) Selection boards shall serve for such length of time as the Secretary of War may prescribe, but no one board shall serve longer than one year. No officer shall serve on two consecutive selection boards for the same grade, when the second of such boards considers any of the officers who were considered but not recommended for that grade by the first.

(4) Board members must be senior in permanent grade and temporary rank to any officer being considered by their board. They must be Regular Army officers holding commissions in a grade above that

of lieutenant colonel either in the Regular Army or under temporary appointment in the Army of the United States.

(5) A majority of the total membership of any board must agree on each of the officers recommended for promotion by that board.

Agreement of majority.

(6) The President may remove from the recommended list the name of any officer recommended for promotion to any grade by any selection board who in his opinion is not qualified for promotion. Any officer whose name is removed from the recommended list for any grade by the President or who, after nomination by the President for any grade, cannot be appointed because of advice by the Senate that the appointment does not have its consent, shall continue to be eligible for consideration for promotion as though he had not been considered for that grade by the selection board which had recommended him, and the next succeeding selection board may select and recommend the officer concerned for promotion, and thereupon his name shall again be placed on the recommended list and when promoted such officer shall take the same date of rank and place on the promotion list he would have had had he been promoted as a result of his original selection; however, should any officer, having once been selected for promotion to any grade under section 509 of this title, fail of promotion to such grade either (a) by virtue of having his name removed from the recommended list by the President, or (b) on account of advice by the Senate that the appointment does not have its consent, again fail of promotion to the next higher grade either (a) by being considered but not selected by the next succeeding selection board, (b) by virtue of having his name removed from the recommended list by the President, or (c) on account of advice by the Senate that the appointment does not have its consent, he shall be deemed to have twice failed of selection and shall be eliminated from the active list of the Regular Army in accordance with the provisions of subsection 509 (h) of this title.

Removal of name by President, etc.

(7) Officers on a recommended list for promotion to any grade under the provisions of this title, who, at any time prior to promotion, are found incapacitated for service by reason of physical disability contracted in line of duty shall, when retired, be retired in the grade for which they were recommended, with retired pay at the rate of 75 per centum of the active-duty pay of the grade to which recommended, unless entitled to higher retired rank or pay under other provisions of law.

Post, p. 896.

Physical disability.

(8) Each member of a selection board provided for in this title shall swear or affirm that he will, without prejudice or partiality, and having in view both the special fitness of officers and the efficiency of the Army, perform the duties imposed upon him as herein provided.

Oath.

(b) In time of emergency declared by the President or by the Congress, and in time of war, the President is authorized, in his discretion, to suspend the operation of all or any part or parts of the several provisions of law pertaining to promotion.

Suspension of provisions.

(c) Any officer eligible for consideration by a selection board shall have the right to forward through official channels at any time not later than ten days after the convening of said board a written communication inviting attention to any matter of record in the War Department concerning himself which he deems important in the consideration of his case: *Provided*, That such communication shall not contain any reflection upon the character, conduct, or motives of or criticism of any officer.

Right of officer to forward communication concerning himself.

(d) The provisions of this title shall be effective immediately upon its enactment with respect to permanent grade promotion appointments of Regular Army officers to the grades of major general and brigadier general and with respect to permanent grade promotion

Effective date.

Prior confirmation, etc. appointments of Regular Army promotion-list officers to grade of colonel: *Provided*, That in the case of any Regular Army officer who on the date of enactment of this Act has been nominated by the President and confirmed by the Senate for appointment to any grade but not yet appointed in that grade, such officer shall be appointed in that grade as soon as a vacancy exists therein irrespective of the requirements of this title with respect to promotions. Regular Army promotion-list officers shall continue to be promoted to and appointed in the permanent grades of lieutenant colonel, major, captain, and first lieutenant in accordance with existing provisions of law until December 31, 1947, and on that date the provisions of this title shall become effective for promotion of all Regular Army promotion-list officers to all permanent grades.

41 Stat. 774. (1) Effective December 31, 1947, section 24c of the National Defense Act, as amended (10 U. S. C. 552, 556, 125, 143a), is further amended by deleting therefrom all words except the words:

Examinations. "Existing laws providing for the examination of officers for promotion are hereby repealed, except those relating to physical examination, which shall continue to be required for promotion to all grades below that of brigadier general, and except also those governing the examination of officers of the Medical, Dental, and Veterinary Corps. Officers of said three Corps shall be examined in accordance with laws governing examination of officers of the Medical Corps."

Repeals. (2) Effective December 31, 1947, section 3 of the Act of July 31, 1935 (49 Stat. 506), as amended (10 U. S. C. 552a); section 1257 Revised Statutes (10 U. S. C. 557); and section 8 of the Act of April 3, 1939 (53 Stat. 558), shall be repealed.

10 U. S. C. § 41.

#### REGULAR ARMY OFFICERS—PROMOTION TO GRADE OF FIRST LIEUTENANT

Increase of authorized number. SEC. 508. Promotion-list officers in permanent grade of second lieutenant shall be promoted to and appointed in the grade of first lieutenant in the Regular Army on completion of three years' service, and the authorized number of officers in the grade of first lieutenant shall, from time to time, be temporarily increased as necessary to authorize such appointments ("years' service" as used in this section means and includes all service creditable for promotion purposes). Second lieutenants who are found to be not fully qualified shall have their commissions revoked and be discharged under the authority of section 23 of the National Defense Act, as amended (10 U. S. C. 484a). Whenever there are vacancies in any promotion list in the grade of first lieutenant, officers of that list in the grade of second lieutenant may, under regulations prescribed by the Secretary of War, be promoted and appointed in the grade of first lieutenant before completion of three years' service, but no officer in the grade of second lieutenant will be promoted under the provisions of this section ahead of any officer in that grade whose name appears above his on the promotion list concerned. This section shall be effective December 31, 1947.

Revocation of commissions, etc.

39 Stat. 181.

Effective date.

#### REGULAR ARMY OFFICERS—PROMOTION TO GRADES OF CAPTAIN, MAJOR, AND LIEUTENANT COLONEL—ELIMINATION OF THOSE NOT PROMOTED

Promotion-list officers.

SEC. 509. (a) After January 1, 1949, promotion-list officers shall be promoted to and appointed in the permanent grades of captain, major, and lieutenant colonel in the Regular Army, or eliminated from the active list, as hereinafter in this section prescribed.

(b) Irrespective of the existence of any vacancies, each promotion-list officer in permanent grade of first lieutenant, captain, and major shall be considered by a selection board for promotion to the permanent grade of captain, major, and lieutenant colonel, sufficiently in

advance of the date on which he completes seven, fourteen, and twenty-one years' service, respectively, so that such officer, if recommended by the selection board, may be promoted to and appointed in such grade on the date on which he completes such length of service ("years' service" as used in this section means and includes all service creditable for promotion purposes).

"Years' service."

(c) Based upon the number of vacancies existing and anticipated in any promotion list in the grade of captain, major, and lieutenant colonel, respectively, the Secretary of War may direct a selection board to consider and recommend for promotion to such grades officers of that list in permanent grade of first lieutenant, captain, and major, respectively, irrespective of the length of service of such officers.

Consideration, etc.,  
by board on basis of  
vacancies.

(d) In no instance shall any officer be considered by any selection board for promotion to the grade of captain, major, or lieutenant colonel more than two years prior to the date on which it is anticipated he will, if recommended by such board, be appointed in that grade. Whenever any officer is considered by any selection board under any provision of this section for promotion to the grade of captain, major, or lieutenant colonel in any promotion list, such board shall also consider all officers of that officer's grade and promotion list whose names appear above his on that list and are not carried on the recommended list for the next higher grade: *Provided*, That no officer who has been twice considered and not recommended for promotion to any one grade shall thereafter again be considered for promotion under the provisions of this section.

Prior consideration,  
etc.

Restriction.

(e) (1) When officers in the grade of first lieutenant, captain, and major are to be considered by a selection board for promotion to the grade of captain, major, and lieutenant colonel, respectively, to fill vacancies in these grades, existing or anticipated, the Secretary of War, in his discretion, may follow the procedure described in paragraph (3) of this subsection, or he may direct the selection board to consider officers in the grades of first lieutenant, captain, or major (as the case may be) in the order of their seniority as their names appear on the promotion list concerned, recommend those who are fully qualified for promotion to the grade concerned, pass over those who are not fully qualified for promotion to such grade, and continue such procedure until a specified number of recommended officers is obtained.

Procedures.

(2) When officers in the grade of first lieutenant, captain, and major must be considered by a selection board for promotion to the grade of captain, major, and lieutenant colonel, respectively, by reason of completion of years of service, or by reason of being on a promotion list above an officer of that list who must be considered for that reason, the Secretary of War, in his discretion, may follow the procedure described in paragraph (3) of this subsection, or he may furnish to the selection board a list of officers to be considered for promotion to the grade concerned and direct such board to recommend from among the officers so listed all those and only those considered by the board to be fully qualified for promotion to that grade.

(3) In either of the circumstances described in paragraphs (1) and (2) of this subsection, the Secretary of War may, in lieu of the procedures there prescribed, furnish to a selection board a list of officers to be considered for promotion to the grade concerned and direct such board to select and recommend from among those listed a specified number for promotion to that grade, the officers to be selected to be the best qualified of those listed for consideration. If this procedure is followed, the Secretary of War shall prescribe the number to be selected but in no event shall that number be less than 80 per centum of those officers listed for consideration.

Permanent recom-  
mended list.

(f) The names of officers of any promotion list who are selected and recommended for promotion to any grade under the provisions of this section shall be carried on a permanent recommended list of officers of that promotion list for promotion to that grade. The names of those recommended by any selection board shall be entered on the applicable recommended list with the same precedence standing among themselves as exists on the applicable promotion list. No officer of any recommended list shall be appointed in the grade for which recommended ahead of any other officer whose name appears above his on such recommended list.

"Deferred officer."

(g) The phrase "deferred officer" as used in this section means any officer considered and not recommended by any selection board for the grade of captain, major, or lieutenant colonel under the provisions of this section. Each "deferred officer" shall suffer loss in precedence for promotion purposes to those officers who were recommended by the selection board which failed to recommend him, and shall suffer a reduction in his years of service for promotion purposes, if necessary, so that, one year subsequent to the time he would have been appointed in the next higher grade had he been recommended, he shall not have for promotion purposes more than seven years' service if in grade of first lieutenant, fourteen years' service if in grade of captain, and twenty-one years' service if in grade of major; however such loss in precedence for promotion purposes and such loss in years of service for promotion purposes shall not result in any loss in seniority by such "deferred officer" until his juniors are promoted to the next higher grade.

Second considera-  
tion.

(h) Deferred officers in any grade shall be considered a second time by the next selection board designated for consideration of officers of his grade and promotion list and if recommended by such board his name shall be entered on the applicable recommended list with the other officers recommended by such board and with the same precedence among themselves as exists on the applicable promotion list but below the names of officers placed on such recommended list by any earlier board. If an officer fails of selection for any grade but is subsequently recommended and promoted to that grade, his failure in the grade from which promoted shall not in any sense be counted as a failure of selection when he is subsequently considered for further promotion. If a "deferred officer" is not recommended by the next consecutive selection board, he shall, on that date which is one year and thirty days subsequent to the date on which he would have been appointed in the next higher grade had he been recommended by the first of two consecutive selection boards, be eliminated from the active list of the Regular Army and retired or separated, as the case may be (see section 514 of this title): *Provided*, That, if on such date, he is within two years of becoming entitled to retirement under the provisions of section 514 of this title, the date of elimination shall be the date on which he becomes entitled to retirement, rather than that hereinabove prescribed, and he shall be retained on the active list in the permanent grade held until qualified for retirement and then retired, unless sooner retired or separated under some other provision of law.

Elimination from  
active list.

*Post*, p. 902.

Date of appoint-  
ment.

(i) For the purpose of administering the provisions of this section, the date on which a deferred officer would have been appointed in the next higher grade, if he had been recommended by the first of such two consecutive selection boards, shall be counted as the date of appointment in such grade of whichever officer, junior to him on the list prior to his loss in seniority, is first to be appointed in such grade, or the date on which, had he not suffered loss in years of service, he would have completed for promotion purposes, seven years' service

if in grade of first lieutenant, fourteen years' service if in grade of captain, and twenty-one years' service if in grade of major, whichever of said two dates is the earlier.

(j) Officers of any promotion list, whose names are carried on any recommended list for promotion to any grade under the provisions of this section, may be promoted and appointed in the grade for which recommended whenever there is a vacancy in the number authorized for that grade in that promotion list. Promotions and appointments to fill vacancies may be made at any time, but it is not mandatory that the authorized numbers in grades in the several promotion lists be maintained.

Promotions, etc., to fill vacancies.

(k) Irrespective of any vacancy in any grade, whenever any officer whose name is carried on any recommended list under the provisions of this section, completes for promotion purposes, seven years' service if in grade of first lieutenant, fourteen years' service if in grade of captain, and twenty-one years' service if in grade of major, the authorized number of officers in the grade of captain, major, and lieutenant colonel, respectively, in the applicable promotion list, shall be temporarily increased, if necessary, to authorize the appointment in that grade of such officer and all officers of his grade and promotion list whose names appear above his on the recommended list, and such officers shall be simultaneously appointed in that grade, retaining among themselves their existing relative seniority.

Temporary increase in numbers.

(l) In addition to the procedures described in subsection (e) of this section, whenever in the Air Corps promotion list there are vacancies in the grade of captain, major, or lieutenant colonel, respectively, and, in the discretion of the Secretary of War, there are or will be an inadequate number of officers in that grade with certain special qualifications required for the Air Corps, he may direct a selection board to select a specified number of Air Corps promotion-list officers having such special qualifications for promotion to that grade. The selection in such instance shall be accomplished under the same rules that apply generally in this section, except that officers not selected shall not be deemed to have been considered for promotion within the meaning of subsections (d) and (g) of this section. Officers selected under this procedure shall be appointed in the grade for which selected only to fill vacancies in the numbers authorized in that grade.

Vacancies in Air Corps promotion list.

Rules of selection.

(m) Promotion of promotion-list officers to grades of captain, major, and lieutenant colonel shall continue to be made under existing law until December 31, 1947; thereafter, promotions to these grades shall be suspended until promotions are made on or about July 1, 1948, to fill initial requirements in these grades under the provisions of section 518 of this title, and thereafter, promotions to these grades shall again be suspended until December 31, 1948.

Continuation of promotions.

Post, p. 910.

#### REGULAR ARMY OFFICERS—PROMOTION TO GRADE OF COLONEL

SEC. 510. (a) After the date of enactment of this Act, promotion-list officers shall be promoted to and appointed in the permanent grade of colonel in the Regular Army only as hereinafter in this section prescribed, except in those cases governed by the proviso to the first sentence of subsection 507 (d) of this title.

Promotion-list officers.

(b) Based upon the number of vacancies existing and anticipated in any promotion list in the grade of colonel and the number of officers desired in that grade in that promotion list, the Secretary of War shall direct a selection board to select and recommend a prescribed number of officers of that promotion list for promotion to that grade and shall furnish to such board a list of the names of the officers to be considered. The list of names furnished for consideration shall include the name of the senior officer of that promotion list below the

Ante, p. 893.  
Selection, etc., by board on basis of vacancies.

Selection for service  
in specified branches.

Air Corps.

Permanent recom-  
mended list.

Ratio, etc.

Completion of year's  
service before nomina-  
tion, etc.

Promotion-list of  
officers.

junior in the permanent grade of colonel whose name is not carried on the recommended list for promotion to the grade of colonel and the names of additional such officers in the order that their names appear next below his on that promotion list, as the Secretary of War may prescribe, and until June 30, 1948, in addition thereto may include the names of any officers in permanent grade below that of colonel who served during the current war in any general officer grade under temporary appointment. From among the officers named for consideration, the designated selection board shall select and recommend the prescribed number. The officers selected and recommended shall be those who, in the opinion of the board, are the best qualified officers of those listed for consideration: *Provided*, That whenever in the opinion of the Secretary of War the number of officers in the permanent grade of colonel in each of the several branches included in the Army promotion list is or may become seriously unbalanced, he may, in his discretion, direct that, of the officers to be selected and recommended for the grade of colonel, specified numbers be selected for service in specified branches: *And provided further*, That whenever in the opinion of the Secretary of War, in the Air Corps promotion list, there is or will be an inadequate number of officers, in the permanent grade of colonel, possessing certain special qualifications required for the Air Corps, he may, in his discretion, direct that, of the officers to be selected and recommended for the grade of colonel, specified numbers possess certain specified qualifications.

(c) The names of officers of any promotion list who are selected and recommended for promotion to the grade of colonel in the Regular Army shall be carried on a permanent recommended list of officers of that promotion list for promotion to that grade. The names of those recommended by any selection board shall be entered on the applicable recommended list at the foot thereof in the same precedence standing among themselves as exists on the applicable promotion list. No officer of any recommended list shall be appointed in the grade of colonel ahead of any other officer whose name appears above his on such recommended list. Officers whose names are carried on any such recommended list may be promoted and appointed in the grade of colonel only when there is a vacancy in the number authorized for that grade in that promotion list. Promotion appointments to fill vacancies in the grade of colonel in the Regular Army may be made at any time, but it is not mandatory that authorized numbers in that grade in the several promotion lists be maintained.

(d) The ratio of the number of officers of any promotion list which the Secretary of War names for consideration by any selection board for promotion to the grade of colonel in the Regular Army, to the number of officers which he directs such selection board to select from among those so named, may be as desired by the Secretary of War but no officer shall be considered or selected by any selection board more than two years prior to the date on which it is anticipated he will, if selected, be appointed in that grade. After June 30, 1949, officers must have completed at least one year's service under permanent appointment in the grade of lieutenant colonel in the Regular Army before being nominated or appointed in the grade of colonel in the Regular Army.

#### REGULAR ARMY OFFICERS—PROMOTION TO GRADE OF BRIGADIER GENERAL

SEC. 511. (a) After the date of enactment of this Act, promotion-list officers shall be promoted to and appointed in the permanent grade of brigadier general in the Regular Army only as hereinafter in this section prescribed, except in those cases governed by the provisions

of section 513 of this title, and except in those cases governed by the proviso to the first sentence of subsection 507 (d) of this title.

(b) Based upon the number of vacancies existing and anticipated in the grade of brigadier general in the Regular Army and the number of officers desired in that grade, the Secretary of War shall direct a selection board to select and recommend a prescribed number of officers for promotion to that grade, and, in order to insure that the Army will have adequate numbers of officers in the grade of brigadier general with experience qualifying them for service in or with the several branches, arms, and services, he may, in his discretion, direct that, of the number to be selected and recommended, specified numbers have experience qualifying them for service in or with certain specified branches, arms or services. The Secretary of War shall furnish to such board a list of the names of the officers to be considered. The list of names furnished for consideration shall include the names of the senior officers below the junior in the permanent grade of brigadier general whose names are not carried on the recommended list for promotion to the grade of brigadier general and the names of additional such officers in the order that their names appear next below theirs on the applicable promotion lists, as the Secretary of War may prescribe, and, until June 30, 1948, in addition thereto may include the names of any officers in permanent grade below that of brigadier general who served during the current war in any general officer grade under temporary appointment. From among the officers named for consideration, the designated selection board shall select and recommend the prescribed number, including any prescribed numbers whose experience qualifies them for service in or with a designated branch, arm, or service. The officers selected and recommended shall be those who, in the opinion of the board, are the best qualified officers of those listed for consideration.

(c) The names of officers who are selected and recommended for promotion to the grade of brigadier general in the Regular Army shall be carried on a permanent recommended list of officers for promotion to that grade. Upon selection, the names of such officers shall be placed on the recommended list at the foot thereof arranged among themselves according to precedence to be determined by the Secretary of War. The number of officers to be selected and recommended by designated selection boards for promotion to the grade of brigadier general in the Regular Army shall be determined by the Secretary of War. It is not mandatory that the Secretary of War direct the selection and recommendation of numbers sufficient to produce the number authorized for that grade; but officers who are selected and recommended for promotion to that grade by any such selection board, and whose names are not removed from the recommended list by the President, shall be nominated, and by and with the advice and consent of the Senate appointed, in that grade as soon as there is a vacancy in the number authorized for that grade.

(d) The ratio of the number of officers which the Secretary of War names for consideration by any selection board for promotion to the grade of brigadier general in the Regular Army, to the number of officers which he directs such selection board to select from among those so named, may be as desired by the Secretary of War, but no officer shall be considered or selected by any selection board more than one year prior to the date on which it is anticipated he will, if selected, be appointed in that grade. After June 30, 1949, officers must have completed at least one year's service under permanent appointment in the grade of colonel in the Regular Army, before being nominated or appointed in the grade of brigadier general in the Regular Army.

*Ante*, p. 893.

Selection, etc., by board on basis of vacancies.

Permanent recommended list.

Ratio, etc.

Completion of year's service before nomination, etc.



## REGULAR ARMY OFFICERS—PROMOTION TO GRADE OF MAJOR GENERAL

SEC. 512. (a) After the date of enactment of this Act, Regular Army officers shall be promoted to and appointed in the permanent grade of major general in the Regular Army only as hereinafter in this section prescribed, except in those cases governed by the provisions of section 513 of this title and except in those cases governed by the proviso to the first sentence of subsection 507 (d) of this title.

*Ante*, p. 893.

Selection, etc., by board on basis of vacancies.

(b) Based upon the number of vacancies existing and anticipated in the grade of major general in the Regular Army and the number of officers desired in that grade, the Secretary of War shall direct a selection board to select and recommend a prescribed number of officers for promotion to that grade, and, in order to insure that the Army will have adequate numbers of officers in the grade of major general with experience qualifying them for service in or with the several branches, arms, and services, he may, in his discretion, direct that, of the number to be selected and recommended, specified numbers have experience qualifying them for service in or with certain specified branches, arms, or services. The Secretary of War shall furnish to such board a list of the names of the officers to be considered. The list of names furnished for consideration shall include the name of the senior officer in the permanent grade of brigadier general whose name is not carried on the recommended list for promotion to the grade of major general and the names of additional such officers in the order that their names appear next below his on the general officers' seniority list, as the Secretary of War may prescribe, and, until June 30, 1948, in addition thereto may include the names of any officers in permanent grade below that of major general who served during the current war in any general officer grade under temporary appointment. From among the officers named for consideration, the designated selection board shall select and recommend the prescribed number, including any prescribed numbers whose experience qualifies them for service in or with a designated branch, arm, or service. The officers selected and recommended shall be those who, in the opinion of the board, are the best qualified officers of those listed for consideration.

Permanent recommended list.

(c) The names of officers who are selected and recommended for promotion to the grade of major general in the Regular Army shall be carried on a permanent recommended list of officers for promotion to that grade. Upon selection, the names of such officers shall be placed on the recommended list at the foot thereof arranged among themselves according to precedence to be determined by the Secretary of War. The number of officers to be selected and recommended by designated selection boards for promotion to the grade of major general in the Regular Army shall be determined by the Secretary of War. It is not mandatory that the Secretary of War direct the selection and recommendation of numbers sufficient to produce the number authorized for that grade; but officers who are selected and recommended for promotion to that grade by any such selection board, and whose names are not removed from the recommended list by the President, shall be nominated, and by and with the advice and consent of the Senate appointed, in that grade as soon as there is a vacancy in the number authorized for that grade.

Ratio, etc.

(d) The ratio of the number of officers which the Secretary of War names for consideration by any selection board for promotion to the grade of major general in the Regular Army, to the number of officers which he directs such selection board to select from among those so named, may be as desired by the Secretary of War, but no officer shall be considered or selected by any selection board more than one year prior to the date on which it is anticipated he will, if

selected, be appointed in that grade. After June 30, 1949, officers must have completed at least one year's service under permanent appointment in the grade of brigadier general in the Regular Army, before being nominated or appointed in the grade of major general in the Regular Army.

Completion of year's service before nomination, etc.

**GENERAL OFFICERS—CHIEFS AND ASSISTANT CHIEFS OF SERVICES—PRO-  
MOTION TO GENERAL OFFICER GRADE WITH A VIEW TO ASSIGNMENT AS  
CHIEF OR ASSISTANT CHIEF OF SERVICE**

**SEC. 513. (a)** Each of the offices of chiefs of branches, arms, or services, and each of the offices of their assistants as provided by law, respectively, shall be filled by the President appointing, by and with the advice and consent of the Senate, an officer, not below the grade of lieutenant colonel, who has demonstrated by actual and extended duty in such arm, branch, or service or on similar duty that he is qualified for such assignment, and who has been recommended for such office by a board of officers as prescribed in subsection (b) of this section. Upon the appointment of a Regular Army officer to any such office, he shall at the same time, if he does not already hold permanent appointment in the Regular Army in the grade called for by such office, be permanently appointed in grade of major general or brigadier general in the Regular Army, whichever is the rank specified for such office. An officer appointed to any such office shall normally continue in that assignment for a tour of duty of four years but such assignment may be terminated at any time, or such tour may be extended by the President in his discretion. The termination of an officer's assignment as chief or assistant chief of a branch, arm, or service shall have no effect upon the permanent general officer grade held by him. Whenever any Regular Army officer is to be appointed as a chief or an assistant chief of a branch, arm, or service and at the same time in the permanent grade of major general or brigadier general in the Regular Army, whichever is the rank specified for such office, the total authorized number of officers in that grade shall be temporarily increased if necessary to authorize such appointment, but such temporary increase in authorized numbers in such grade shall continue only until a vacancy shall occur in such grade. Officers now serving as chiefs of branches, arms, or services, and their respective assistants, will not be affected by this section. This section shall become effective for each such office on the date that office is vacated by the present incumbent. This section shall not apply to the office of Chief of the National Guard Bureau.

Appointment by President.

Tour of duty.

Termination of assignment.

Temporary increase in numbers.

Nonapplicability.

Procedure for recommendation, etc.

**(b)** Officers shall be recommended to fill the office of chief of a branch, arm, or service, or the office of an assistant chief of a branch, arm, or service, as follows: The Secretary of War shall appoint a board of five general officers which shall include the then incumbent, if any, of the office to be filled and at least two other officers, if available, of a rank above that of the position for which selections are to be made who have had actual and extended service in the branch concerned. The Secretary of War shall furnish to such board a list of the officers to be considered by it and shall specify the number to be recommended, which number shall not be less than three. The list to be considered shall include all Regular Army officers of the branch concerned in the permanent grade of colonel, all Regular Army officers above the grade of colonel who have demonstrated by actual and extended duty in such arm, branch, or service, or on similar duty, that they are qualified for such assignment, and may in addition thereto and to the extent determined advisable by the Secretary of War, include the names of Regular Army officers of the branch concerned in the permanent grade of lieutenant colonel in the order that their

names appear upon the promotion list concerned, and the names of officers of any component of the Army of the United States serving on extended active duty in grades above lieutenant colonel who have demonstrated by actual and extended duty in the branch, arm, or service concerned, or on similar duty, that they are qualified for such assignment. From among the officers named for consideration the board shall select and recommend the prescribed number. From among those recommended by such board, the President may appoint an officer in the position concerned. If the President declines to appoint any of those so recommended or if those he may nominate cannot be appointed because of advice by the Senate, the Secretary of War shall convene a board to select and recommend additional officers in accordance with the procedure heretofore prescribed. Officers who are recommended and who are not appointed shall be deemed not to have been recommended but this shall in no way prejudice their eligibility for selection and recommendation for the grade of major general or brigadier general under the provisions of sections 511 and 512 of this title.

41 Stat. 762.

Retirement.

(c) Section 4c of the National Defense Act, as amended (10 U. S. C. 8, 482a, 6, 1026, 27, 532, 28, 29, 533, 13, 534), is further amended by deleting therefrom all words except the words: "Any officer who shall have served four years as chief or assistant chief of a branch or as commanding general of the General Headquarters Air Force and who may subsequently be retired, shall be retired with the rank, pay, and allowances authorized by law for the highest grade held by him as such chief, assistant chief, or commanding general: *Provided*, That this provision shall not reduce the rank, pay, or allowances with which such officer would otherwise be entitled to retire."

REGULAR ARMY OFFICERS—ELIMINATION FROM ACTIVE LIST—MANDATORY  
RETIREMENT OR SEPARATION

Retirement.

SEC. 514. (a) (1) After that date which is six months after the date of enactment of this Act, unless provided otherwise by some provision of law, each commissioned officer of the Regular Army (other than a professor of the United States Military Academy), who is not retired or separated at an earlier date under applicable provisions of law, shall, if in the permanent grade of brigadier general or in any permanent grade below that of brigadier general, be retired on that date upon which he attains the age of sixty years; and, if in the permanent grade of major general, be retired on that date upon which he attains the age of sixty-two years: *Provided*, That officers holding appointments on the date of enactment of this Act as chiefs and assistant chiefs of services shall not by reason of the enactment of this section be retired while so serving until age sixty-four years is reached if serving with the rank of major general or until age sixty-two years is reached if serving with the rank of brigadier general: *Provided further*, That the provisions of this paragraph requiring retirement at age sixty years and sixty-two years shall not become effective for officers of the Medical Corps until one year after date of enactment of this Act.

Officers of Medical Corps.

Professors of U. S. Military Academy.

Retired grade and pay.

(2) Each professor of the United States Military Academy, who is not retired or separated at an earlier date under applicable provisions of law, shall be retired on that date upon which he attains the age of sixty-four years.

(3) Each commissioned officer of the Regular Army who is hereafter retired by reason of reaching the age of sixty years, sixty-two years, or sixty-four years, as the case may be, shall be retired in the permanent grade held at time of retirement and shall receive retired pay computed on the basis provided in subsection (e) (1) of this

section: *Provided*, That, if on the date such officer attains the age of sixty years, sixty-two years, or sixty-four years, as the case may be, he is eligible for retirement under any other provision of law in effect on that date, including any provision of law providing for voluntary retirement on his own application, and the retired grade or amount of retired pay to which he would be entitled under such other provision is greater than the retired grade or amount of retired pay herein provided, he shall be entitled to the greater retired grade and retired pay.

(b) The term "years' service" as used in subsections (c), (d), and (e) of this section means and includes—

"Years' service."

(1) for any officer appointed in the Regular Army between December 28, 1945, and December 31, 1947, under the provisions of the Act of December 28, 1945 (Public Law 281, Seventy-ninth Congress, 59 Stat. 663), as amended, the period of service credited to such officer under that law at the time of his appointment, increased by the period of his active commissioned service in the Regular Army subsequent to such appointment;

10 U. S. C. §§ 481, 505-505d, 552a, 552c.  
*Ante*, pp. 95, 735, 736.

(2) for any Reserve judge advocate appointed in the Regular Army in the grade of captain in the Judge Advocate General's Department under the applicable provision of section 24e of the National Defense Act, as amended (10 U. S. C. 64), a period of service equal to the number of days, months, and years by which his age at time of such appointment exceeds twenty-five years, or the total period of active Federal service performed by him after attaining the age of twenty-one years as a commissioned officer in the Army of the United States or any component thereof from December 7, 1941, to the date of such appointment, whichever is greater; increased by the period of his active commissioned service in the Regular Army subsequent to such appointment; and

41 Stat. 774.

(3) for any other Regular Army officer, the period of his active commissioned service in the Regular Army subsequent to his appointment, increased by the period of active Federal service performed by him prior to his appointment in the Regular Army after attaining the age of twenty-one years as a commissioned officer in the Army of the United States or any component thereof after December 7, 1941, for those appointed in the Regular Army prior to December 31, 1947; and after December 31, 1947, for those appointed in the Regular Army after December 31, 1947.

(c) After the date of enactment of this Act, whenever in the opinion of the Secretary of War there is an excessive number of officers on the active list of the Regular Army in any grade who have completed thirty "years' service", he may convene a board of not less than five general officers of the Regular Army to consider all officers of that grade who have completed thirty "years' service" and recommend for retirement a specified number thereof, and the Secretary of War, in his discretion, is authorized to retire any officer so recommended.

Excessive number who have completed 30 "years' service."

(d) Unless provided otherwise by some provision of law, commissioned officers of the Regular Army hereinafter specified who are not retired or separated at an earlier date under other provisions of law shall be eliminated from the active list and retired or separated, as the case may be, at the times hereinafter prescribed. If on the date of elimination from the active list hereinafter prescribed, any officer is within two years of becoming entitled to retirement under the provisions of subsection (e) of this section, his date of elimination from the active list shall be the date on which he becomes entitled to retirement, rather than that hereinafter prescribed, and he shall be retained on the active list in the permanent grade then held until qualified for retirement and then retired, unless sooner retired or separated under some other provision of law.

Elimination from active list.

## Major generals.

(1) After that date which is six months after the date of enactment of this Act, unless provided otherwise by some provision of law, each officer heretofore or hereafter appointed in the permanent grade of major general in the Regular Army who is not retired or separated at an earlier date under other provisions of law shall be eliminated from the active list and retired on the fifth anniversary of the date of his appointment in that permanent grade in the Regular Army, or on that date which is thirty days after the date upon which he completes thirty-five "years' service", whichever is later, unless he is permanently appointed in a grade above that of major general before the later of such two dates: *Provided*, That such officers may, in the discretion of the Secretary of War, be retained on the active list until age sixty is reached: *And provided further*, That not to exceed ten such officers, who are either holding temporary appointments in any grade above major general or are serving in positions which carry rank above that of major general may, in the discretion of the Secretary of War, be retained on the active list until age sixty-four is reached.

Retention until age  
64.

## Brigadier generals.

(2) After that date which is six months after the date of enactment of this Act, unless provided otherwise by some provision of law, each officer heretofore or hereafter appointed in the permanent grade of brigadier general in the Regular Army who is not retired or separated at an earlier date under other provisions of law, shall be eliminated from the active list and retired on the fifth anniversary of the date of his appointment in that permanent grade in the Regular Army, or on that date which is thirty days after the date upon which he completes thirty "years' service", whichever is later, unless he is appointed in the permanent grade of major general in the Regular Army before the later of such two dates: *Provided*, That such officers whose names are carried on the recommended list for appointment in the permanent grade of major general in the Regular Army shall be retained on the active list while their names are so carried; and if appointed in the permanent grade of major general their elimination from the active list shall be governed by the provisions of paragraph (1) of this subsection: *Provided further*, That not to exceed ten such officers who are serving in temporary grades above that of brigadier general, may, in the discretion of the Secretary of War, be retained on the active list until age sixty is reached: *And provided further*, The provisions of this paragraph shall not apply to professors of the United States Military Academy.

Retention until age  
60.

## Nonapplicability.

## Colonels.

(3) After June 30, 1953, unless provided otherwise by some provision of law, each promotion-list officer heretofore or hereafter appointed in the permanent grade of colonel in the Regular Army who is not retired or separated at an earlier date under other provisions of law shall be eliminated from the active list and retired on the fifth anniversary of the date of his appointment in that permanent grade in the Regular Army, or on that date which is thirty days after the date upon which he completes thirty "years' service", whichever is later, unless he is appointed in the permanent grade of brigadier general, or any higher permanent grade, in the Regular Army before the later of such two dates: *Provided*, That such officers whose names are carried on the recommended list for appointment in the permanent grade of brigadier general in the Regular Army shall be retained on the active list while their names are so carried, and if appointed in the permanent grade of brigadier general their elimination from the active list shall be governed by the provisions of paragraph (2) of this subsection: *And provided further*, That of the officers in the permanent grade of colonel in the Regular Army whose names are carried on the Medical Corps, Dental Corps, Veterinary Corps, Medical Service Corps, or chaplains promotion list,

Retention until age  
60.

respectively, not more than 10 per centum of the number authorized in that grade for any such promotion list, respectively, may, in the discretion of the Secretary of War, be retained on the active list after the date specified for their retirement and the number of colonels authorized for the promotion list concerned may be exceeded by the number of such officers of that promotion list so retained, but in no event shall any such officer be so retained after reaching the age of sixty years.

(4) After June 30, 1953, unless provided otherwise by some provision of law, each promotion-list officer heretofore or hereafter appointed in the permanent grade of lieutenant colonel in the Regular Army who is not retired or separated at an earlier date under other provisions of law shall be eliminated from the active list and retired on that date which is thirty days after the date upon which he completes twenty-eight "years' service", unless he is appointed in the permanent grade of colonel, or any higher permanent grade, in the Regular Army before that date: *Provided*, That such officers whose names are carried on the recommended list for appointment in the permanent grade of colonel in the Regular Army shall be retained on the active list while their names are so carried and if appointed in the permanent grade of colonel their elimination from the active list shall be governed by the provisions of paragraph (3) of this subsection: *And provided further*, That any of the officers in the permanent grade of lieutenant colonel in the Regular Army whose names are carried on the Medical Corps, Dental Corps, Veterinary Corps, Medical Service Corps, or Chaplains promotion list, may, in the discretion of the Secretary of War, be retained on the active list after the date specified for their retirement but in no event shall any such officer be so retained after reaching the age of sixty years.

Lieutenant colonels.

Retention until age 60.

(c) Each officer eliminated from the active list of the Regular Army pursuant to any of the provisions of subsection (h) of section 509 of this title or of subsection (c) or (d) of this section shall—

Retired grade and pay.  
*Ante*, p. 896.

(1) if on the date of elimination, he has completed twenty "years' service" or more, be retired in the permanent grade held at time of retirement with monthly retired pay equal to  $2\frac{1}{2}$  per centum of the monthly base and longevity pay he would receive if serving on active duty in that grade, multiplied by a number equal to the number of years of his "years' service", or, the number of years of service creditable to him under the law in the computation of his active-duty pay, whichever of such two numbers is greater (fractions of a year less than one-half shall be disregarded and one-half or more shall be counted as one year); but in no event shall such retired pay be more than 75 per centum nor less than 50 per centum of the base and longevity pay he would receive if serving on active duty in the grade in which retired: *Provided*, That if on the date of his elimination, he is eligible for retirement under any other provision of law in effect on that date, including any provision of law providing for voluntary retirement on his own application, and the retired grade or amount of retired pay to which he would be entitled under such other provision is greater than the retired grade or amount of retired pay herein provided, he shall be entitled to the greater retired grade and retired pay: *Provided further*, That in the case of any officer whose computation of active-duty pay is not based upon years of service the phrase "the number of years of service creditable to him under the law in the computation of his active-duty pay" as used herein shall be construed to mean the number of years of service which would be creditable to him under the law in the computation of his active-duty pay if he were serving in the grade of colonel;

Honorable discharge  
with severance pay.

Suspension of pro-  
visions.

Post, p. 912.

(2) if on the date of elimination, he has not completed twenty "years' service" or more, but is eligible for retirement under any provision of law in effect on that date including any provision of law providing for voluntary retirement on his own application, be retired in the grade and with the retired pay to which he would be entitled if retired on that date under that law;

(3) if on the date of elimination, he is not eligible for retirement under any provision of law, be honorably discharged from the Regular Army with severance pay equal to that sum of money computed by multiplying, (a) the number of years of his "years' service" (fractions of a year less than one-half shall be disregarded and one-half or more shall be counted as one year); by (b) the amount of base and longevity pay which he would receive (computed at the rate applicable on the date of his elimination) for two months' active duty in the grade (permanent or temporary) held at the time of elimination: *Provided*, That the total severance pay shall not exceed two years' base and longevity pay so computed.

(f) In time of emergency declared by the President or by the Congress, and in time of war, the President is authorized, in his discretion, to suspend the operation of all or any part or parts of the several provisions of law prescribing mandatory retirement or separation of Regular Army officers.

(g) Section 5 of the Act of July 31, 1935 (49 Stat. 507), as amended (10 U. S. C. 971b), is further amended as follows:

(1) By deleting therefrom that portion which reads: "*Provided further*, That on June 30, 1942, all brigadier generals of the line who are then sixty-two years of age or over and all promotion-list officers who are then sixty years of age or over shall be retired, and thereafter all brigadier generals of the line shall be retired at the age of sixty-two years and all promotion-list officers shall be retired at the age of sixty years, except that all officers in the grade of general officer whose names are carried on the promotion-list are exempted from the operation of this proviso and in addition thereto the Secretary of War may, in his discretion, exempt from the operation of this proviso such number of colonels as will result in their being on active duty at any time a number of colonels who would otherwise be retired not greater than 5 per centum of the total number of colonels then on the promotion list, but such exemption shall terminate in each case when the officer reaches the age of sixty-two, or sooner in the discretion of the Secretary of War, and colonels so exempted shall be included within the authorized number of promotion-list colonels";

(2) By deleting therefrom that portion which reads: "*Provided further*, That each promotion-list officer shall be assumed to have for retirement purposes, at least the same length of continuous commissioned service in the Regular Army as any officer junior to him on the promotion list: *Provided further*, That the number of years of service to be credited in computing the right to retirement and retirement pay in the case of officers retired by reason of having reached the age of sixty years or over shall include all service heretofore credited for retirement at age sixty-four:".

ARMY OFFICERS—TEMPORARY GRADES—TEMPORARY APPOINTMENT OF OFFICERS IN THE ARMY OF THE UNITED STATES—ACTIVE DUTY OF RESERVE COMPONENT OFFICERS

Number less than  
authorized.

SEC. 515. (a) Whenever the number of Regular Army officers holding office under permanent appointments in the grades of major general and brigadier general is less than the number authorized in these grades and whenever the number of Regular Army officers of any promotion list, holding office under permanent appointments in the

grades of colonel, lieutenant colonel, major, captain, and first lieutenant, respectively, is less than the number authorized in these grades in such promotion list, the additional number authorized in these several grades may be filled by the temporary appointment of qualified officers under the provisions of subsection (c) of this section.

(b) Whenever under authorization from time to time made by the Congress the total number of officers serving on active duty (Regular Army officers and all officers of the Army of the United States or any component thereof ordered into active military service for extended Federal service in excess of thirty days) exceeds the authorized active list commissioned officer strength of the Regular Army, the Secretary of War shall determine the requirements in each of the several commissioned grades based upon the total number of officers so serving on active duty and the tasks being performed by the Army and such requirements in each of such grades may be filled by the temporary appointment of qualified officers under the provisions of subsection (c) of this section: *Provided*, That unless a national emergency is declared after the date of this Act and before July 1, 1948, after such date and until a national emergency is thereafter declared, the total number of officers serving on active duty in grades above major general under any provision of law shall not exceed the limitation specifically set forth in section 504 of this title.

Number exceeding authorized strength.

(c) Within the limitations specified in subsections (a) and (b) of this section, any commissioned officer of the Regular Army, or of any of the Reserve components of the Army of the United States serving on active Federal duty, may be appointed in any temporary grade equal to or higher than his permanent grade without vacating his permanent appointment or any temporary appointment held by him under this or any other provision of law, and any such officer now holding an appointment in any temporary grade equal to or higher than his permanent grade may be continued therein as though he had been appointed thereto under the provisions of this section. Action under this subsection shall be taken on a fair and equitable basis, regard being given to seniority, age, and selection based upon ability and efficiency under regulations prescribed by the Secretary of War. The President may, in his discretion, from time to time, in accordance with the needs of the service, adjust dates of rank in temporary grades.

*Anle*, p. 886.

Appointment in temporary grade.

(d) To the extent provided from time to time by appropriations for this purpose, any officer of any Reserve component of the Army of the United States may, with his own consent, be ordered to active Federal duty for such length of time as the President may prescribe and in time of a national emergency expressly declared by Congress may be so ordered without his consent. The President may at any time relieve from active duty any Reserve officer who is serving on active duty. Any officer of any Reserve component ordered into or serving on active duty may, with his own consent, be temporarily appointed in a grade in the Army of the United States, either higher or lower than the grade held by him in such Reserve component, and such temporary appointment shall not affect the appointment and grade held by him in his Reserve component.

Adjustment of dates of rank.

Reserve components. Federal duty, etc.

(e) In time of emergency declared by the President, or by the Congress, and in time of war, the President is authorized to appoint qualified persons (including persons who hold no Regular Army or Reserve status) as temporary officers in the Army of the United States in any of the several commissioned officer grades, and persons so appointed may be ordered into the active military service of the United States to serve therein for such periods of time as the President may prescribe. The appointment of a temporary officer, if not sooner vacated, shall continue during the emergency or war in which the appointment was made and for six months thereafter.

Appointment of temporary officers.



Grade below brigadier general.  
General officer grades.

Pay and allowances.

Rights, benefits, etc.

"Permanent grade."

"Permanent appointment."

"Temporary grade."

"Temporary officer."

Effective date.

Repeal.

(f) All temporary appointments herein mentioned (officers of the Regular Army, the National Guard of the United States, and the Officers' Reserve Corps temporarily appointed in grades different from those held in their respective components, and, persons holding no Regular Army or Reserve commissions appointed as temporary officers) shall be made in the Army of the United States, and such appointments shall not contain any reference to any other appointment held or not held in any component of the Army of the United States. All temporary appointments herein mentioned may be vacated at any time by the President. Temporary appointments in grades below that of brigadier general shall be made by the President alone, and in general officer grades by and with the advice and consent of the Senate.

(g) All officers temporarily appointed in any grade in the Army of the United States shall, while serving in such grade on active duty in the service of the United States, receive the same pay and allowances as authorized for persons of corresponding grade and length of service holding permanent appointments in that grade in the Regular Army.

(h) Each temporary officer and each Reserve officer of any Reserve component, serving on active Federal duty in any commissioned grade, permanent or temporary (herein referred to as "active-duty grade"), shall be entitled, while so serving, to the same rights, privileges, and benefits as now or hereafter provided by law for an officer of the Officers' Reserve Corps of the same length of service holding appointment in the Officers' Reserve Corps in a grade the same as such "active-duty grade" and serving on active duty in the grade held in the Officers' Reserve Corps.

(i) DEFINITIONS.—(1) As used in this title the phrase "permanent grade" means the grade in which an officer holds appointment in the Regular Army, or in the National Guard of the United States, or in the Officers' Reserve Corps, as the case may be. The phrase "permanent appointment" means appointment in the Regular Army, or in the National Guard of the United States, or in the Officers' Reserve Corps, as the case may be.

(2) As used in this title, the phrase "temporary grade" means the grade in which an officer holds temporary appointment in the Army of the United States (as distinguished from "permanent grade").

(3) As used in this title, the phrase "temporary officer" means a person who has no Regular Army or reserve commissioned status but who temporarily holds appointment as an officer of the Army of the United States.

(j) This section becomes effective the date of enactment of this Act. Effective the date of enactment of this Act, section 4 of the Act of June 16, 1936 (49 Stat. 1525; 10 U. S. C., 292a-1), is hereby repealed.

#### RELATIVE RANK OF GENERAL OFFICERS OF THE ARMY WITH FLAG OFFICERS OF THE NAVY

SEC. 516. Officers holding commissions in the grade of major general in the Regular Army and officers holding commissions in the grade of rear admiral in the Navy who are entitled to the pay of the upper half of that grade shall take rank among themselves according to their respective dates of rank in such grades. Officers holding commissions in the grade of brigadier general in the Regular Army and officers holding commissions in the grade of rear admiral in the Navy who are entitled to the pay of the lower half of that grade shall take rank among themselves according to their respective dates of rank in such grades. All officers in the Army of the United States, including all components thereof, senior in relative rank to any Regular Army officer, shall also be senior to all Navy officers junior in relative rank to such Regular Army officer.

REGULAR ARMY OFFICERS—SERVICE CREDIT TO CERTAIN OFFICERS WHO  
WERE IN THE REGULAR ARMY PRIOR TO DECEMBER 28, 1945

SEC. 517. (a) PROMOTION-LIST OFFICERS.—Each person who was appointed a second lieutenant between December 7, 1941, and December 28, 1945, in any arm or service of the Regular Army, the officers of which are carried on the promotion list as constituted prior to enactment of this Act, and who has had continuous active commissioned service in the Regular Army since such appointment, and who on the date of enactment of this Act holds active commissioned office in an arm or service of the Regular Army, the officers of which are carried on the promotion list as constituted prior to enactment of this Act, shall be credited with service equivalent to the total period of active Federal commissioned service performed by him after attaining the age of twenty-one years as a commissioned officer in the Army of the United States or any component thereof from December 7, 1941, to the date of such appointment: *Provided*, That persons who were promoted and appointed second lieutenants in the Regular Army upon graduation from the United States Military Academy shall not be credited with any such service. The service herein credited shall be counted for the same purposes as, and construed similar to, service credited to persons upon appointment in the Regular Army under the provisions of the Act of December 28, 1945 (Public Law 281, Seventy-ninth Congress, 59 Stat. 663). The names of such officers shall be placed on the promotion list as constituted immediately prior to the date of enactment of this Act in the places they would be had such officers been credited with the service herein credited at the time of their appointment in the Regular Army and had their names been entered on the promotion list at the time of their appointment immediately below those officers of the same grade having the same or next greater period of service. Officers credited with an equal amount of service by virtue of their service in the Regular Army and the additional service herein credited shall be placed on the promotion list as aforesaid without alteration among themselves of their former precedence and seniority standing.

(b) NON-PROMOTION-LIST OFFICERS.—Each person holding active commissioned office as a chaplain in the Regular Army or in the Medical Corps, Dental Corps, or Veterinary Corps of the Regular Army on the date of enactment of this Act, who was originally so appointed and commissioned in the Regular Army between June 27, 1926, and December 28, 1945, and has had continuous commissioned service in the Regular Army since such appointment, shall be credited, respectively, with additional years of service for promotion purposes as follows: Chaplains, six and eight-twelfths years; Medical Corps officers, three and five-twelfths years; Dental Corps officers, three and one-twelfth years; Veterinary Corps officers, one and four-twelfths years: *Provided*, That due to such additional service so creditable for promotion purposes no person shall have his existing service creditable for promotion purposes increased to an amount greater than the service he would possess for promotion purposes solely by virtue of continuous active commissioned service in the Regular Army from June 27, 1926. Such officers shall be given precedence for promotion purposes in accordance with the precedence they would have, had such years of service been credited to such officers on December 28, 1945, and had those who would have become entitled to promotion in permanent grade in the Regular Army by virtue thereof been so promoted. No action under this subsection shall change the relative precedence for promotion purposes of any officer who held a commission as chaplain or in any of these corps on December 28, 1945, with respect to

Service credit.  
Second lieutenants.

Restriction.

10 U. S. C. §§ 481,  
505-505d, 552a, 552c.  
*Ante*, pp. 95, 735, 736.

Chaplains.

Precedence.

any other officer who held a commission on that date as chaplain or in the same corps, respectively.

Adjustment of dates of rank. (c) Dates of rank in permanent grades of officers credited with additional service pursuant to this section shall be adjusted to accord to their new positions on the promotion list or, in the case of "non-promotion-list" officers, to their new precedence for promotion purposes, as the case may be.

Back pay, etc. (d) No back pay or allowances shall accrue to any person by reason of the enactment of this section.

**REGULAR ARMY OFFICERS—PROMOTIONS TO BE MADE ON JULY 1, 1948, TO FILL INITIAL REQUIREMENTS IN GRADES OF CAPTAIN, MAJOR, AND LIEUTENANT COLONEL**

**SEC. 518. (a) (1)** Promotions to the grades of captain, major, and lieutenant colonel shall continue to be made under existing law until December 31, 1947. During the period January 1, 1948, to June 30, 1948, there shall be no permanent grade promotion appointments of Regular Army promotion-list officers to the grade of captain, major, or lieutenant colonel. On July 1, 1948, or at the earliest practicable time thereafter, the Regular Army officers specified in subsection (b) of this section and those recommended for promotion by selection boards as provided in subsection (c) of this section shall be promoted to and appointed in the Regular Army in the grades of captain, major, and lieutenant colonel.

(2) Officers appointed in the same grade under the provisions of this section shall have their names entered on the applicable promotion list immediately below that of the junior of the list holding office in that grade without change among themselves in their relative permanent grades seniority standing existing prior to such appointments.

(3) The numbers to be selected and recommended for each of the several grades for each of the several promotion lists under the provisions of this section may be less, but shall not be more, than numbers which will produce the total numbers authorized in each of such grades in each promotion list.

(4) Officers named for consideration for any grade but not selected for that grade by a selection board under the provisions of this section shall not for any purpose be deemed to have failed of selection.

Removal of name from recommended list. (5) The name of any officer recommended for promotion to any grade by a selection board under the provisions of this section may be removed from the recommended list for that grade by the President, and entered by him on the recommended list for any lower grade above that in which the officer is holding appointment, or he may remove it entirely.

(6) The procedure prescribed in this section shall be taken separately for each of the several promotion lists.

"Years' service."

(7) The phrase "years' service" as used in this section means and includes all service creditable for promotion purposes under the law prior to enactment of this Act and the service credited under section 517 of this title.

Appointments included.

(b) The appointments referred to in subsection (a) of this section shall include appointments in permanent grades of captain, major, and lieutenant colonel, respectively, of all promotion-list officers (not appointed in higher permanent grades under the provisions of subsection (c) of this section) in permanent grades of first lieutenant, captain, and major who on June 30, 1948, will have completed seven, fourteen, and twenty-one or more years' service, respectively. Each selection board considering officers for promotion under the provisions

Report of names by board.

of subsection (c) of this section, which has among the names furnished to it for consideration the names of any officers who on June 30, 1948, will have completed the years' service specified in this subsection for promotion to the grade for which selections are being made by such board, shall report the names of such officers for promotion to that grade and the number which the board is instructed to select and recommend for that grade shall be reduced accordingly.

(c) For the purpose of initially filling permanent grade requirements in each of the several promotion lists in grades of lieutenant colonel, major, and captain (appointments to be made on July 1, 1948, or at the earliest practicable time thereafter), based upon the number of vacancies in any promotion list in these grades, the Secretary of War, in his discretion, may either (1) direct a selection board to consider officers in the grades of major, captain, and first lieutenant, respectively, in the order of their seniority as their names appear on the promotion list concerned, recommend those who are fully qualified for promotion to the grade of lieutenant colonel, major, or captain, respectively, pass over those who are not fully qualified for promotion to these grades, and continue such procedure until a specified number of recommended officers is obtained for each such grade; or, (2) furnish to a selection board a list of the officers to be considered for promotion to the grade concerned and direct such board to select and recommend from among those listed a specified number for promotion to that grade, the officers to be selected to be the best qualified of those listed for consideration. The names of officers who are recommended for promotion to the grades of lieutenant colonel, major, and captain, respectively, shall be entered on a recommended list (a separate list for each grade in each promotion list). The officers recommended for promotion shall be appointed in the grades for which recommended on July 1, 1948, or at the earliest practicable date thereafter.

Consideration, etc.,  
by board on basis of  
vacancies.

Recommended list.

(d) If the Secretary of War, in his discretion, follows the second procedure described in subsection (c) of this section for any grade in any promotion list, the names furnished to the applicable selection board shall be those of the officers hereinafter specified:

Names of officers  
furnished to board.

(1) For the grade of lieutenant colonel, the names furnished to the selection board concerned shall include the name of the senior officer of that promotion list in permanent grade below lieutenant colonel, and the names of such additional officers in the order that their names appear next below his on that promotion list, as the Secretary of War may prescribe, and in addition thereto, may include the names of any officers of that promotion list who served during the current war in any general officer grade under temporary appointment.

(2) For the grade of major, the names furnished for consideration to the selection board concerned shall include the names of all officers of the designated promotion list in permanent grades below that of major named for consideration but not selected for the grade of lieutenant colonel and the names of such additional officers in the order that their names appear next on that promotion list, as the Secretary of War may prescribe, and in addition thereto may include the names of any officers of that promotion list who served during the current war in any general officer grade under temporary appointment.

(3) For the grade of captain, the names furnished for consideration under the provisions of this section shall include the names of all officers of the designated promotion list in permanent grades below that of captain named for consideration but not selected for the grades of major or lieutenant colonel, and the names of such additional officers in the order that their names appear next on that promotion list, as the Secretary of War may prescribe.

AMENDMENTS TO NATIONAL DEFENSE ACT TO PROVIDE INCREASED RANK FOR  
CHIEF OF CHAPLAINS AND ASSISTANTS TO THE SURGEON GENERAL

39 Stat. 176. SEC. 519. (a) CHAPLAINS.—So much of section 15 of the National Defense Act, as amended (10 U. S. C. 234), as reads "One chaplain of rank not below that of major may be appointed by the President, by and with the advice and consent of the Senate, to be Chief of Chaplains. He shall serve as such for four years, and shall have the rank, pay, and allowances of colonel while so serving" is hereby amended to read: "There is authorized a Chief of Chaplains with the rank of major general."

39 Stat. 171. (b) MEDICAL DEPARTMENT.—So much of section 10 of the National Defense Act, as amended (10 U. S. C. 81), as reads "The Medical Department shall consist of one Surgeon General with the rank of major general, four assistants with the rank of brigadier general, one of whom shall be an officer in the Dental Corps," is hereby amended to read "The Medical Department shall consist of one Surgeon General with the rank of major general, one assistant with the rank of major general who shall be an officer in the Dental Corps, three assistants with the rank of major general or brigadier general, as determined by the Secretary of War, and".

PROFESSORS OF THE UNITED STATES MILITARY ACADEMY

Rank, pay, etc.

SEC. 520. (a) Hereafter each of the permanent professors of the United States Military Academy, other than the dean of the Academic Board, who is the head of a department of instruction or whose service as such professor exceeds six years, shall have the rank, pay, and allowances of a colonel; and all other permanent professors shall have the rank, pay, and allowances of a lieutenant colonel: *Provided*, That the permanent professors who have been or may hereafter be appointed by the President from the commissioned officers of the Regular Army shall have the rank, pay, and allowances of a colonel from the date herein provided or from the date on which any promotion-list officer junior to such professor (on the promotion list on which such professor's name was carried prior to his appointment as a professor) is promoted to and appointed in the permanent grade of colonel, whichever date is earlier: *Provided further*, That no back pay or allowances shall accrue hereunder.

Retirement in grade  
of brigadier general.

(b) When any permanent professor of the United States Military Academy, whose service as such has been long and distinguished, is retired, he may, in the discretion of the President, be placed upon the retired list in the grade of brigadier general: *Provided*, That no increase in pay or allowances is authorized hereby.

Retirement at age  
64.

(c) Hereafter the permanent professors of the United States Military Academy shall, unless sooner retired, be retired at the age of sixty-four years: *Provided*, That the Secretary of War may direct the retirement of any such professor having over thirty years' commissioned service.

AMENDMENT TO RETIREMENT LAWS

*Ante*, p. 906.  
Retirement in grade  
of colonel, etc.

41 Stat. 773.  
10 U. S. C. § 571.

SEC. 521. (a) Section 5 of the Act of July 31, 1935 (49 Stat. 507), as amended (10 U. S. C. 971b), is further amended by deleting therefrom that portion which reads: "*Provided further*, That any promotion-list officer retired for any reason except by operation of section 24b, National Defense Act, or wholly retired, who has completed twenty-eight or more years of continuous commissioned service in the Regular Army and who has failed to reach the grade of colonel by reason of the limitation on the number of promotion-list officers in the grade of colonel or by reason of the restriction of years

of service in grade of major or lieutenant colonel shall be retired in the grade of colonel with retired pay computed as otherwise provided by law for a colonel with the same length of service including all service now or hereafter credited for active-duty pay purposes, and any such officer who has completed more than twenty-three but less than twenty-eight years of continuous commissioned service in the Regular Army and who has failed to reach the grade of lieutenant colonel by reason of the restriction of years of service in grade of major shall be retired in the grade of lieutenant colonel with retired pay computed as otherwise provided by law for a lieutenant colonel with the same length of service including all service now or hereafter credited for active-duty pay purposes."

(b) The Act of July 31, 1935 (49 Stat. 507), as amended (10 U. S. C. 971b), is further amended by adding between sections 5 and 6 thereof an additional section as follows:

*Ante*, pp. 906, 912.

"SEC. 5a. Any officer in the permanent grade of lieutenant colonel retired after January 1, 1946, upon his own application, or for physical disability, or mandatorily by reason of reaching a prescribed age, or by reason of having completed a prescribed length of service, shall, if at time of retirement he has completed twenty-eight years or more of active Federal commissioned service and has served in any capacity as a member of the military or naval forces of the United States prior to November 12, 1918, unless entitled to be retired in a higher grade under some other provision of law, be retired in the grade of colonel with retired pay computed as otherwise provided by law for a colonel with the same length of service including all service now or hereafter credited for active duty pay purposes."

#### AMENDMENT TO ARTICLE OF WAR 119

SEC. 522. Article of war 119 (41 Stat. 811; 10 U. S. C. 1591) is amended by deleting therefrom the words: "in time of war or public danger,".

#### SAVING CLAUSE

SEC. 523. Nothing contained in this title shall operated to reduce the retired grade or retired pay of any officer heretofore retired.

Approved August 7, 1947.

#### [CHAPTER 513]

#### AN ACT

To promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on lands acquired by the United States.

August 7, 1947  
[H. R. 3022]  
[Public Law 382]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Mineral Leasing Act for Acquired Lands".

Short title.

SEC. 2. As used in this Act "United States" includes Alaska. "Acquired lands" or "lands acquired by the United States" include all lands heretofore or hereafter acquired by the United States to which the "mineral leasing laws" have not been extended, including such lands acquired under the provisions of the Act of March 1, 1911 (36 Stat. 961, 16 U. S. C., sec. 552). "Secretary" means the Secretary of the Interior. "Mineral leasing laws" shall mean the Act of October 20, 1914 (38 Stat. 741, 48 U. S. C., sec. 432); the Act of February 25, 1920 (41 Stat. 437, 30 U. S. C., sec. 181); the Act of April 17, 1926 (44 Stat. 301, 30 U. S. C., sec. 271); the Act of February 7, 1927 (44 Stat. 1057, 30 U. S. C., sec. 281), and all Acts heretofore or hereafter enacted which are amendatory of or supplementary to any of the fore-

"United States."

"Acquired lands";  
"lands acquired by the  
United States."

"Secretary."

"Mineral leasing  
laws."

"Lease."

Lease of mineral deposits.

58 Stat. 765.  
50 U. S. C. app.  
§§ 1611-1646.  
*Ante*, p. 678.

Deposits of sulfur.  
30 U. S. C. §§ 271-276.

Consent of department head, etc.

Tidelands, etc.

Sale of acquired lands.

52 Stat. 1252.  
34 U. S. C. § 524  
and note.  
Lease of U. S. interest.

going Acts. "Lease" includes "prospecting permit" unless the context otherwise requires.

SEC. 3. Except where lands have been acquired by the United States for the development of the mineral deposits, by foreclosure or otherwise for resale, or reported as surplus pursuant to the provisions of the Surplus Property Act of October 3, 1944 (50 U. S. C., sec. 1611 and the following), all deposits of coal, phosphate, oil, oil shale, gas, sodium, potassium, and sulfur which are owned or may hereafter be acquired by the United States and which are within the lands acquired by the United States (exclusive of such deposits in such acquired lands as are (a) situated within incorporated cities, towns and villages, national parks or monuments, (b) set apart for military or naval purposes, or (c) tidelands or submerged lands) may be leased by the Secretary under the same conditions as contained in the leasing provisions of the mineral leasing laws, subject to the provisions hereof. The provisions of the Act of April 17, 1926 (44 Stat. 301), as heretofore or hereafter amended, shall apply to deposits of sulfur covered by this Act wherever situated. No mineral deposit covered by this section shall be leased except with the consent of the head of the executive department, independent establishment, or instrumentality having jurisdiction over the lands containing such deposit, or holding a mortgage or deed of trust secured by such lands which is unsatisfied of record, and subject to such conditions as that official may prescribe to insure the adequate utilization of the lands for the primary purposes for which they have been acquired or are being administered: *Provided*, That nothing in this Act is intended, or shall be construed, to apply to or in any manner affect any mineral rights, exploration permits, leases or conveyances nor minerals that are or may be in any tidelands; or submerged lands; or in lands underlying the three mile zone or belt involved in the case of the United States of America against the State of California now pending on application for rehearing in the Supreme Court of the United States; or in lands underlying such three mile zone or belt, or the continental shelf, adjacent or littoral to any part of the land within the jurisdiction of the United States of America.

SEC. 4. Nothing herein contained shall be deemed or construed to (a) amend, modify, or change any existing law authorizing or requiring the sale of acquired lands, or (b) empower any commission, bureau, or agency of the Government to make a reservation of the minerals in the sale of any acquired land: *Provided*, That any such sale or conveyance of lands shall be made by the agency having jurisdiction thereof, subject to any lease theretofore made, covering the mineral deposits underlying such lands: *Provided further*, That nothing in this Act is intended, or shall be construed to affect in any manner any provision of the Act of June 30, 1938 (32 Stat. 1252), amending the Act of June 4, 1920 (41 Stat. 813).

SEC. 5. Where the United States does not own all of the mineral deposits under any lands sought to be leased and which are affected by this Act, the Secretary is authorized to lease the interest of the United States in any such mineral deposits when, in the judgment of the Secretary, the public interest will be best served thereby; subject, however, to the provisions of section 3 hereof. Where the United States does not own any interest or owns less than a full interest in the minerals that may be produced from any lands sought to be leased, and which are or will be affected by this Act and where, under the provisions of its acquisition, the United States is to acquire all or any part of such mineral deposits in the future, the Secretary

may lease any interest of the United States then owned or to be acquired in the future in the same manner as provided in the preceding sentence.

SEC. 6. All receipts derived from leases issued under the authority of this Act shall be paid into the same funds or accounts in the Treasury and shall be distributed in the same manner as prescribed for other receipts from the lands affected by the lease, the intention of this provision being that this Act shall not affect the distribution of receipts pursuant to legislation applicable to such lands: *Provided, however*, That receipts from leases or permits for minerals in lands set apart for Indian use, including lands the jurisdiction of which has been transferred to the Department of the Interior by the Executive order for Indian use, shall be deposited in a special fund in the Treasury until final disposition thereof by the Congress.

Distribution of receipts, etc.

SEC. 7. Upon request by the Secretary, the heads of all executive departments, independent establishments, or instrumentalities having jurisdiction over any of the lands referred to in section 2 of this Act shall furnish to the Secretary the legal description of all of such lands, and all pertinent abstracts, title papers, and other documents in the possession of such agencies concerning the status of the title of the United States to the mineral deposits that may be found in such lands.

Furnishing of legal descriptions, etc.

Abstracts, title papers, and other documents furnished to the Secretary under this section shall be recorded promptly in the Bureau of Land Management in such form as the Secretary shall deem adequate for their preservation and use in the administration of this Act, whereupon the originals shall be returned promptly to the agency from which they were received. Duly authenticated copies of any such abstracts, title papers, or other documents may, however, be furnished to the Secretary, in lieu of the originals, in the discretion of the agency concerned.

Authenticated copies.

SEC. 8. Nothing contained in this Act shall be construed to affect the rights of the State or other local authorities to exercise any right which they may have with respect to properties covered by leases issued under this Act, including the right to levy and collect taxes upon improvements, output of mines, or other rights, property, or assets of any lessee of the United States.

Rights of State, etc.

SEC. 9. Nothing in this Act shall affect any rights acquired by any lessee of lands subject to this Act under the law as it existed prior to the effective date of this Act, and such rights shall be governed by the law in effect at the time of their acquisition; but any person qualified to hold a lease who, on the date of this Act, had pending an application for an oil and gas lease for any lands subject to this Act which on the date the application was filed was not situated within the known geologic structure of a producing oil or gas field, shall have a preference right over others to a lease of such lands without competitive bidding. Any person holding a lease on lands subject hereto, which lease was issued prior to the effective date of this Act, shall be entitled to exchange such lease for a new lease issued under the provisions of this Act, at any time prior to the expiration of such existing lease.

Rights acquired by lessee.

Exchange of lease.

SEC. 10. The Secretary of the Interior is authorized to prescribe such rules and regulations as are necessary and appropriate to carry out the purposes of this Act, which rules and regulations shall be the same as those prescribed under the mineral leasing laws to the extent that they are applicable.

Rules and regulations.

Approved August 7, 1947.



## [CHAPTER 514]

## AN ACT

August 8, 1947  
[H. R. 174]  
[Public Law 383]

To amend section 26, title I, chapter 1, of the Act entitled "An Act making further provision for a civil government for Alaska, and for other purposes", approved June 6, 1900 (31 Stat. 321), as amended by the Act of May 31, 1938 (52 Stat. 588).

Alaska.

48 U. S. C. § 381.

Mining laws.

Exploration and  
mining for precious  
metals.

Miners' regulations.

Revocation of ex-  
clusive permit.

Right to dump tail-  
ings, etc.

Reservation of road-  
way.

30 Stat. 413.  
48 U. S. C. §§ 359,  
461-465.

Title to land below  
line of ordinary high  
tide.

Transfer of title to  
future State.

48 U. S. C. § 356.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 26, title I, chapter 1, of the Act entitled "An Act making further provision for a civil government for Alaska, and for other purposes", approved June 6, 1900 (31 Stat. 321), as amended by the Act of May 31, 1938 (52 Stat. 588), is further amended to read as follows:

"SEC. 26. The laws of the United States relating to mining claims, mineral locations, and rights incident thereto are hereby extended to the Territory of Alaska: *Provided*, That, subject only to the laws enacted by Congress for the protection and preservation of the navigable waters of the United States, and to the laws for the protection of fisheries, and subject also to such general rules and regulations as the Secretary of the Interior may prescribe for the preservation of order and the prevention of injury to the fisheries, all land below the line of ordinary high tide on tidal waters and all land below the line of ordinary high-water mark on nontidal water navigable in fact, within the jurisdiction of the United States, shall be subject to exploration and mining for gold and other precious metals by citizens of the United States, or persons who have legally declared their intentions to become such, under such reasonable rules and regulations as the miners in organized mining districts may have heretofore made or may hereafter make governing the temporary possession thereof for exploration and mining purposes until otherwise provided by law: *Provided further*, That the rules and regulations established by the miners shall not be in conflict with the mining laws of the United States; and no exclusive permit shall be granted by the Secretary of the Interior authorizing any person or persons, corporation, or company to excavate or mine under any of said waters, and if such exclusive permit has been granted it is hereby revoked and declared null and void. The rules and regulations prescribed by the Secretary of the Interior under this section shall not, however, deprive miners on the beach of the right hereby given to dump tailings into or pump from the sea opposite their claims, except where such dumping would actually obstruct navigation or impair the fisheries, and the reservation of a roadway sixty feet wide under the tenth section of the Act of May 14, 1898, entitled 'An Act extending the homestead laws and providing for right-of-way for railroads in the District of Alaska, and for other purposes', shall not apply to mineral lands or town sites. No person shall acquire by virtue of this section any title to any land below the line of ordinary high tide or the line of ordinary high-water mark, as the case may be, of the waters described in this section. Any rights or privileges acquired hereunder with respect to mining operations in land, title to which is transferred to a future State upon its admission to the Union and which is situated within its boundaries, shall be terminable by such State, and the said mining operations shall be subject to the laws of such State."

SEC. 2. Nothing in this Act shall be deemed to affect or impair any valid claims, rights or privileges, including possessory claims under the first proviso of section 8 of the Act of May 17, 1884, (23 Stat. 26), arising under any other provision of law.

Approved August 8, 1947.

## [CHAPTER 515]

## AN ACT

To terminate certain tax provisions before the end of World War II.

August 8, 1947

[H. R. 4069]

[Public Law 384]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

# SECTION 1. SUSPENSION OF TARIFF DUTIES ON SCRAP IRON, ETC.

The Act of March 13, 1942 (Public Law 497, Seventy-seventh Congress; 56 Stat. 171), entitled "An Act to suspend the effectiveness during the existing national emergency of tariff duties on scrap iron, scrap steel, and nonferrous metal scrap" is hereby amended by striking out "termination of the unlimited national emergency proclaimed by the President on May 27, 1941" and inserting in lieu thereof "close of June 30, 1948".

26 U. S. C. § 3425  
note; 19 U. S. C. § 1001  
note foll. par. 301.  
*Ante*, p. 56.

# SEC. 2. FREE IMPORTATION TO MEMBERS OF ARMED FORCES OF OTHER UNITED NATIONS.

Section 5 of the joint resolution of June 27, 1942 (Public Law 635, Seventy-seventh Congress; 56 Stat. 462), entitled "Joint resolution to accord privileges of free importation to members of the armed forces of other United Nations, to enemy prisoners of war and civilian internees and detainees, and for other purposes", is hereby amended by striking out "the expiration of six months after the termination of the unlimited national emergency proclaimed by the President on May 27, 1941" and inserting in lieu thereof "July 1, 1948".

50 U. S. C. app.  
§ 795.

# SEC. 3. FREE ENTRY OF GIFTS FROM MEMBERS OF ARMED FORCES.

(a) Section 1 of the Act of December 5, 1942 (Public Law 790, Seventy-seventh Congress; 56 Stat. 1041), entitled "An Act to accord free entry to bona fide gifts from members of the armed forces of the United States on duty abroad" is hereby amended by inserting after the word "claimed" the words "were purchased in or through authorized agencies of the armed forces of the United States or in accordance with regulations prescribed by the major geographical commands of the United States armed forces, and".

50 U. S. C. app.  
§ 846.

(b) The amendment made by subsection (a) shall be applicable in the case of articles entered for consumption or withdrawn from warehouse for consumption on and after September 1, 1947.

(c) Section 2 of such Act is hereby amended, effective as of June 30, 1947, by striking out "the expiration of six months after the termination of hostilities as determined by proclamation of the President, or by concurrent resolution of the Congress" and inserting in lieu thereof "July 1, 1949".

50 U. S. C. app.  
§ 847.

# SEC. 4. SUSPENSION OF TARIFF DUTY ON COCONUTS.

The Act of December 20, 1944 (Public Law 504, Seventy-eighth Congress; 58 Stat. 817), entitled "An Act to suspend the effectiveness during the existing national emergency of the tariff duty on coconuts", shall not be applicable with respect to articles entered for consumption or withdrawn from warehouse for consumption on or after the thirtieth day following the date of the enactment of this Act.

19 U. S. C. § 1001  
note foll. par. 758.

# SEC. 5. MERCHANT MARINE CONSTRUCTION RESERVE FUND.

For the purposes of the proviso of subsection (h) of section 511 of the Merchant Marine Act, 1936, as amended, added to such subsection by the Act of June 17, 1943 (57 Stat. 158), the present war shall be considered as having terminated on March 31, 1948.

54 Stat. 1107.

46 U. S. C. § 1161 (h).

**SEC. 6. TAX DEFERMENTS OF SERVICE PERSONNEL.**

50 U. S. C. app.  
§ 1013 (c) (2).  
*Ante*, p. 453.

Section 13 (c) (2) of the Missing Persons Act (Public Law 490, Seventy-seventh Congress; 56 Stat. 146) is hereby amended to read as follows:

“(2) December 31, 1947; or”.

**SEC. 7. ADDITIONAL ALLOWANCE FOR MILITARY AND NAVAL PERSONNEL.**

56 Stat. 814.  
26 U. S. C. § 22 (b)  
(13).

Section 22 (b) (13) of the Internal Revenue Code is hereby amended to read as follows:

“(13) ADDITIONAL ALLOWANCE FOR MILITARY AND NAVAL PERSONNEL.—

“(A) In the case of compensation received prior to January 1, 1949, during any taxable year, for active service as a commissioned officer (or a commissioned warrant officer) in the military or naval forces of the United States during the present war, or, in the case of a citizen or resident of the United States, as a member of the military or naval forces of any of the other United Nations during such war, so much of such compensation as does not exceed \$1,500.

“(B) Compensation received prior to January 1, 1949, during any taxable year, for active service as a member below the grade of commissioned officer (or commissioned warrant officer) in the military or naval forces of the United States during the present war.”

**SEC. 8. INVOLUNTARY LIQUIDATION AND REPLACEMENT OF INVENTORY.**

56 Stat. 814.  
26 U. S. C. § 22 (d)  
(6) (A).

Section 22 (d) (6) (A) of the Internal Revenue Code is hereby amended by striking out “prior to the termination of the present war as proclaimed by the President” and inserting in lieu thereof “prior to January 1, 1948”, and by striking out “not more than 3 years after the termination of the present war as proclaimed by the President” and inserting in lieu thereof “prior to January 1, 1951”.

**SEC. 9. ABATEMENT OF TAX FOR MEMBERS OF ARMED FORCES UPON DEATH.**

57 Stat. 149.  
26 U. S. C. § 421.  
*Ante*, p. 778.

Section 421 of the Internal Revenue Code is hereby amended by striking out “the termination of the present war as proclaimed by the President” and inserting in lieu thereof “January 1, 1948”.

**SEC. 10. COLLECTION OF INCOME TAX AT SOURCE ON WAGES.**

57 Stat. 126.  
26 U. S. C. § 1621 (a).

(a) Section 1621 (a) of the Internal Revenue Code is hereby amended by striking out paragraph (1), by striking out the sentence following paragraph (9), and by amending paragraph (8) to read as follows:

“(8) (A) for services for an employer (other than the United States or any agency thereof) performed by a citizen of the United States, if it is reasonable to believe that during the entire calendar year the employee will be a bona fide resident of a foreign country or countries, or

“(B) for services for an employer performed within a possession of the United States by a citizen of the United States, if it is reasonable to believe that at least 80 per centum of the remuneration to be paid to the employee by such employer during the calendar year will be for such services, or”.

(b) The amendments made by this section shall be applicable with respect to wages paid on or after January 1, 1948, except that the amendment striking out paragraph (1) of section 1621 (a) of the Internal Revenue Code shall be applicable with respect to wages paid on or after January 1, 1949.

#### SEC. 11. TAX ON ADMISSIONS.

(a) Section 1700 (a) (1) of the Internal Revenue Code is hereby amended by striking out “(except bona fide employees, municipal officers on official business, children under twelve years of age, members of the military or naval forces of the United States when in uniform, members of the military or naval forces of any of the United Nations, when in uniform, and members of the Civilian Conservation Corps when in uniform)”, and inserting in lieu thereof: “(except bona fide employees, municipal officers on official business, and children under twelve years of age)”, and by striking out the last sentence.

55 Stat. 710; 56 Stat. 703.  
26 U. S. C. § 1700 (a) (1).

(b) The amendments made by subsection (a), insofar as applicable with respect to amounts paid for admission, shall be applicable to amounts paid after December 31, 1947, and, insofar as applicable to free admissions, shall be applicable with respect to such admissions after December 31, 1947.

#### SEC. 12. TRANSPORTATION TAX EXEMPTION OF MILITARY AND NAVAL PERSONNEL.

Section 3469 (f) (2) of the Internal Revenue Code shall not be applicable to amounts paid after December 31, 1947.

55 Stat. 722.  
26 U. S. C. § 3469 (f) (2).

#### SEC. 13. TIME FOR PERFORMING CERTAIN ACTS POSTPONED BY REASON OF WAR.

Section 3804 (c) of the Internal Revenue Code is hereby amended to read as follows:

56 Stat. 962.  
26 U. S. C. § 3804 (c).

“(c) **LIMITATION ON TIME TO BE DISREGARDED.**—The period of time disregarded under this section shall not extend beyond the date specified in clause (1) or clause (2) of this subsection, whichever is the earlier:

“(1) December 31, 1947, or such date later than December 31, 1947, as the Commissioner may fix in any case in which he makes a determination under subsection (b) if such determination is made after the date this subsection as amended takes effect and is based on the existence prior to January 1, 1948, of one or more of the circumstances specified in paragraph (1), (2), or (3) of subsection (b); or

“(2) in the case of an individual with respect to whom a period of time is disregarded under this section, the fifteenth day of the third month following the month in which an executor, administrator, or a conservator of the estate of such individual qualifies.”

#### SEC. 14. CHINA TRADE ACT CORPORATIONS.

Section 3805 of the Internal Revenue Code is hereby amended by striking out “the fifteenth day of the sixth month following the month in which the present war with Germany, Italy, and Japan is terminated, as proclaimed by the President” and inserting in lieu thereof: “December 31, 1947”.

56 Stat. 963.  
26 U. S. C. § 3805.

#### SEC. 15. PERCENTAGE DEPLETION.

(a) Section 124 (e) of the Revenue Act of 1943 (relating to termination of percentage depletion for certain minerals) is repealed as of the date of its enactment.

58 Stat. 45.  
26 U. S. C. § 114 note.

53 Stat. 45; 53 Stat.  
44.  
26 U. S. C. § 114 (b)  
(4).

(b) So much of section 114 (b) (4) of the Internal Revenue Code (relating to percentage depletion for certain minerals) as precedes the second sentence thereof, is amended to read as follows:

“(4) PERCENTAGE DEPLETION FOR COAL, BAUXITE, FLUORSPAR, FLAKE GRAPHITE, VERMICULITE, BERYL, FELDSPAR, MICA, TALC (INCLUDING PYROPHYLLITE), LEPIDOLITE, SPODUMENE, BARITE, BALL, SAGGER, AND CHINA CLAY, ROCK ASPHALT, PHOSPHATE ROCK, TRONA, BENTONITE, GILSONITE, THENARDITE, AND METAL MINES, POTASH, AND SULFUR.—

53 Stat. 14.  
26 U. S. C. § 23 (m).

“(A) In General.—The allowance for depletion under section 23 (m) shall be, in the case of coal mines, 5 per centum, in the case of metal mines, bauxite, fluorspar, flake graphite, vermiculite, beryl, feldspar, mica, talc (including pyrophyllite), lepidolite, spodumene, barite, ball, sagger, and china clay, phosphate rock, rock asphalt mines, trona, bentonite, gilsonite, thenardite (from brines or mixtures of brine), and potash mines or deposits, 15 per centum, and in the case of sulfur mines or deposits, 23 per centum, of the gross income from the property during the taxable year, excluding from such gross income an amount equal to any rents or royalties paid or incurred by the taxpayer in respect of the property.”

53 Stat. 45.  
26 U. S. C. § 114 (b)  
(2).

(c) The first sentence of section 114 (b) (2) of the Internal Revenue Code (relating to discovery value) is amended to read as follows: “In the case of mines (other than metal, bauxite, coal, fluorspar, flake graphite, vermiculite, beryl, feldspar, mica, talc (including pyrophyllite), lepidolite, spodumene, barite, potash, ball, sagger, and china clay, phosphate rock, rock asphalt, trona, bentonite, gilsonite, thenardite, or sulfur mines) discovered by the taxpayer after February 28, 1913, the basis for depletion shall be the fair market value of the property at the date of discovery or within thirty days thereafter, if such mines were not acquired as the result of purchase of a proven tract or lease, and if the fair market value of the property is materially disproportionate to the cost.”

(d) The amendments made by subsections (b) and (c) of this section shall be applicable with respect to taxable years beginning after December 31, 1946.

#### SEC. 16. CHARITABLE CONTRIBUTIONS BY CORPORATIONS.

56 Stat. 822.  
26 U. S. C. § 23 (q)  
(2).

Section 23 (q) (2) of the Internal Revenue Code (relating to charitable and other contributions by corporations) is hereby amended by striking out “the date of the cessation of hostilities in the present war, as proclaimed by the President” and inserting in lieu thereof “December 31, 1948”.

Approved August 8, 1947.

#### [CHAPTER 516]

#### JOINT RESOLUTION

August 8, 1947  
[H. J. Res. 205]  
[Public Law 385]

To authorize the Secretary of Agriculture to sell timber within the Tongass National Forest.

“Possessory rights.”

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That “possessory rights” as used in this resolution shall mean all rights, if any should exist, which are based upon aboriginal occupancy or title, or upon section 8 of the Act of May 17, 1884 (23 Stat. 24), section 14 of the Act of March 3, 1891 (26 Stat. 1095), or section 27 of the Act of June 6, 1900 (31 Stat. 321), whether claimed by native tribes, native villages,

23 Stat. 26, 1100; 31  
Stat. 330.  
48 U. S. C. § 356.

native individuals, or other persons, and which have not been confirmed by patent or court decision or included within any reservation.

SEC. 2. (a) The Secretary of Agriculture, in contracts for the sale, or in the sale, of national forest timber under the provisions of the Act of June 4, 1897 (30 Stat. 11, 35), as amended, is authorized to include timber growing on any vacant, unappropriated, and unpatented lands within the exterior boundaries of the Tongass National Forest in Alaska, notwithstanding any claim of possessory rights. All such contracts and sales heretofore made are hereby validated.

Timber on vacant lands, etc.

(b) The Secretary of the Interior is authorized to appraise and sell such vacant, unappropriated, and unpatented lands, notwithstanding any claim of possessory rights, within the exterior boundaries of the Tongass National Forest as, in the opinion of the Secretary of the Interior and the Secretary of Agriculture, are reasonably necessary in connection with or for the processing of timber from lands within such national forest, and upon such terms and conditions as they may impose.

Sale of unpatented lands, etc.

(c) The purchaser shall have and exercise his rights under any patent issued or contract to sell or sale made under this section free and clear of all claims based upon possessory rights.

Purchaser's rights.

SEC. 3. (a) All receipts from the sale of timber or from the sale of lands under section 2 of this resolution shall be maintained in a special account in the Treasury until the rights to the land and timber are finally determined.

Receipts.

(b) Nothing in this resolution shall be construed as recognizing or denying the validity of any claims of possessory rights to lands or timber within the exterior boundaries of the Tongass National Forest.

Validity of claims.

Approved August 8, 1947.

#### [CHAPTER 517]

#### JOINT RESOLUTION

To authorize the temporary continuation of regulation of consumer credit.

August 8, 1947  
[S. J. Res. 148]  
[Public Law 386]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That after November 1, 1947, the Board of Governors of the Federal Reserve System shall not exercise consumer credit controls pursuant to Executive Order Numbered 8843, and no such consumer credit controls shall be exercised after such date except during the time of war beginning after the date of enactment of this joint resolution or any national emergency declared by the President after the date of enactment of this joint resolution.

50 U. S. C. app. § 5  
note.

Approved August 8, 1947.

#### [CHAPTER 518]

#### AN ACT

To amend sections 1802 (a), 1802 (b), and 3481 (a) of the Internal Revenue Code.

August 8, 1947  
[H. R. 3613]  
[Public Law 387]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 1802 (a) of the Internal Revenue Code is amended by deleting the period at the end of the next to the last sentence and inserting in lieu thereof the following: “: *Provided further*, That where such certificates (or shares, where no certificates are issued) are issued in a recapitalization, the tax payable shall be that proportion of the tax computed on such certificates or shares issued in the recapitalization that the amount dedicated as capital for the first time by the recapitalization, whether

53 Stat. 196.  
26 U. S. C. § 1802 (a).

Certificates or shares issued in recapitalization.

by a transfer of earned surplus or otherwise, bears to the total par value (or actual value if no par stock) of such certificates or shares issued in the recapitalization."

53 Stat. 196.  
26 U. S. C. § 1802 (b).  
Transfer of interest  
in partnership owning  
shares.

Section 1802 (b) of the Internal Revenue Code is amended by inserting after the first proviso the following: "*Provided further*, That upon any transfer of an interest in a partnership owning shares or certificates of stock, the tax shall be limited to an amount equal to that percentage of a tax computed on the transfer of all of such shares or certificates of stock owned by the partnership as the interest transferred bears to the total interests in the partnership of all the partners:."

*Supra.*

Section 1802 (b) of the Internal Revenue Code is amended by inserting in the second proviso following the word "deposited" a comma and the words "nor upon mere loans of stock".

53 Stat. 424.  
26 U. S. C. § 3481 (a).

Section 3481 (a) of the Internal Revenue Code is amended by inserting after "*Provided*" the following: "That upon any transfer of an interest in a partnership owning such instruments, the tax shall be limited to an amount equal to that percentage of a tax computed on the transfer of all of such instruments owned by the partnership as the interest transferred bears to the total interests in the partnership of all the partners: *Provided further*,".

Approved August 8, 1947.

#### [CHAPTER 519]

#### AN ACT

August 8, 1947  
[H. R. 4075]  
[Public Law 388]

To regulate commerce among the several States, with the Territories and possessions of the United States, and with foreign countries; to protect the welfare of consumers of sugars and of those engaged in the domestic sugar-producing industry; to promote the export trade of the United States; and for other purposes.

Sugar Act of 1948.  
*Ante*, p. 35.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That this Act may be cited as the "Sugar Act of 1948".

#### TITLE I—DEFINITIONS

*Post*, p. 934.

"Person."

SEC. 101. For the purposes of this Act, except title V—

(a) The term "person" means an individual, partnership, corporation, or association.

"Sugars."

(b) The term "sugars" means any grade or type of saccharine product derived from sugarcane or sugar beets, which contains sucrose, dextrose, or levulose.

"Sugar."

"Raw sugar."

(c) The term "sugar" means raw sugar or direct-consumption sugar.

(d) The term "raw sugar" means any sugars which are principally of crystalline structure and which are to be further refined or improved in quality, and any sugars which are principally not of crystalline structure, but which are to be further refined or otherwise improved in quality to produce any sugars principally of crystalline structure.

"Direct-consumption sugar."

(e) The term "direct-consumption sugar" means any sugars which are principally of crystalline structure and which are not to be further refined or otherwise improved in quality.

"Liquid sugar."

(f) The term "liquid sugar" means any sugars (exclusive of sirup of cane juice produced from sugarcane grown in continental United States) which are principally not of crystalline structure and which contain, or which are to be used for the production of any sugars principally not of crystalline structure which contain, soluble non-sugar solids (excluding any foreign substances that may have been added or developed in the product) equal to 6 per centum or less of the total soluble solids.

(g) Sugars in dry amorphous form shall be considered to be principally of crystalline structure.

(h) The "raw value" of any quantity of sugars means its equivalent in terms of ordinary commercial raw sugar testing ninety-six sugar degrees by the polariscope, determined in accordance with regulations to be issued by the Secretary. The principal grades and types of sugar and liquid sugar shall be translated into terms of raw value in the following manner:

(1) For direct-consumption sugar, derived from sugar beets and testing ninety-two or more sugar degrees by the polariscope, by multiplying the number of pounds thereof by 1.07;

(2) For sugar, derived from sugarcane and testing ninety-two sugar degrees by the polariscope, by multiplying the number of pounds thereof by 0.93;

(3) For sugar, derived from sugarcane and testing more than ninety-two sugar degrees by the polariscope, by multiplying the number of pounds thereof by the figure obtained by adding to 0.93 the result of multiplying 0.0175 by the number of degrees and fractions of a degree of polarization above ninety-two degrees;

(4) For sugar and liquid sugar, testing less than ninety-two sugar degrees by the polariscope, by dividing the number of pounds of the "total sugar content" thereof by 0.972.

(5) The Secretary may establish rates for translating sugar and liquid sugar into terms of raw value for (a) any grade or type of sugar or liquid sugar not provided for in the foregoing and (b) any special grade or type of sugar or liquid sugar for which he determines that the raw value cannot be measured adequately under the provisions of paragraphs (1) to (4), inclusive, of this subsection (h).

(i) The term "total sugar content" means the sum of the sucrose (Clerget) and reducing or invert sugars contained in any grade or type of sugar or liquid sugar.

(j) The term "quota", depending upon the context, means (1) that quantity of sugar or liquid sugar which may be brought or imported into the continental United States, for consumption therein, during any calendar year, from the Territory of Hawaii, Puerto Rico, the Virgin Islands, or a foreign country or group of foreign countries; (2) that quantity of sugar or liquid sugar produced from sugar beets or sugarcane grown in the continental United States which, during any calendar year, may be shipped, transported, or marketed in interstate commerce, or in competition with sugar or liquid sugar shipped, transported, or marketed in interstate or foreign commerce; or (3) that quantity of sugar or liquid sugar which may be marketed in the Territory of Hawaii or in Puerto Rico, for consumption therein, during any calendar year.

(k) The term "producer" means a person who is the legal owner, at the time of harvest or abandonment, of a portion or all of a crop of sugar beets or sugarcane grown on a farm for the extraction of sugar or liquid sugar.

(l) The terms "including" and "include" shall not be deemed to exclude anything not mentioned but otherwise within the meaning of the term defined.

(m) The term "Secretary" means the Secretary of Agriculture.

Sugars in dry amorphous form.

"Raw value."

Principal grades and types.

Establishment of rates.

"Total sugar content."

"Quota."

"Producer."

"Including"; "include."

"Secretary."

## TITLE II—QUOTA PROVISIONS

SEC. 201. The Secretary shall determine for each calendar year, beginning with the calendar year 1948, the amount of sugar needed to meet the requirements of consumers in the continental United States; such determinations shall be made during the month of December in each year for the succeeding calendar year (in the case of the calendar

Determination of consumer requirements.



Basis.

year 1948, during the first ten days thereof) and at such other times during such calendar year as the Secretary may deem necessary to meet such requirements. In making such determinations the Secretary shall use as a basis the quantity of direct-consumption sugar distributed for consumption, as indicated by official statistics of the Department of Agriculture, during the twelve-month period ending October 31 next preceding the calendar year for which the determination is being made, and shall make allowances for a deficiency or surplus in inventories of sugar, and for changes in consumption because of changes in population and demand conditions, as computed from statistics published by agencies of the Federal Government; and, in order that such determinations shall be made so as to protect the welfare of consumers and of those engaged in the domestic sugar industry by providing such supply of sugar as will be consumed at prices which will not be excessive to consumers and which will fairly and equitably maintain and protect the welfare of the domestic sugar industry, the Secretary, in making any such determination, in addition to the consumption, inventory, population, and demand factors above specified and the level and trend of consumer purchasing power, shall take into consideration the relationship between the prices at wholesale for refined sugar that would result from such determination and the general cost of living in the United States as compared with the relationship between prices at wholesale for refined sugar and the general cost of living in the United States obtaining during 1947 prior to the termination of price control of sugar as indicated by the Consumers' Price Index as published by the Bureau of Labor Statistics of the Department of Labor.

Domestic areas.

SEC. 202. Whenever a determination is made, pursuant to section 201, of the amount of sugar needed to meet the requirements of consumers, the Secretary shall establish quotas, or revise existing quotas—

(a) For domestic sugar-producing areas, by apportioning among such areas 4,268,000 short tons, raw value, as follows:

Area	Short tons, raw value
Domestic beet sugar.....	1,800,000
Mainland cane sugar.....	500,000
Hawaii.....	1,052,000
Puerto Rico.....	910,000
Virgin Islands.....	6,000

Republic of the  
Philippines.  
60 Stat. 144.  
22 U. S. C. § 1261.

Other foreign coun-  
tries.

(b) For the Republic of the Philippines, in the amount of nine hundred and fifty-two thousand short tons of sugar as specified in section 211 of the Philippine Trade Act of 1946.

(c) For foreign countries other than the Republic of the Philippines, by prorating among such areas an amount of sugar, raw value, equal to the amount determined pursuant to section 201 less the sum of the quotas established pursuant to subsections (a) and (b) of this section, on the following basis:

Area	Per centum
Cuba.....	98.64
Foreign countries other than Cuba and the Republic of the Philippines.....	1.36

52 Stat. 31.  
7 U. S. C. §§ 1281-  
1407; 16 U. S. C.  
§§ 590h, 590e.  
Ante, pp. 721, 722.  
Quota for Cuba.

The quota for foreign countries other than Cuba and the Republic of the Philippines shall be prorated among such countries on the basis of the division of the quota for such countries made in General Sugar Quota Regulations, Series 4, Number 1, issued December 12, 1936, pursuant to the Agricultural Adjustment Act, as amended.

(d) Notwithstanding the other provisions of this title II, in the event the quota established for Cuba, including any and all deficits allotted or prorated to Cuba pursuant to the provisions of section 204 (a), shall be a smaller proportion of the total amount of sugar

which the Secretary determines is needed to meet the requirements of consumers in the continental United States pursuant to section 201 of this Act, than the quota which would have been established for Cuba upon such consumptive estimate under the provisions of section 202 (b) of the Sugar Act of 1937, the quotas for domestic sugar-producing areas established pursuant to the other provisions of this title II shall be reduced pro rata by such amounts as are required to establish such quota for Cuba and the amounts by which such domestic sugar-producing quotas are so reduced shall be added to the quota for Cuba.

50 Stat. 905.  
7 U. S. C. § 1112 (b).

(e) If the Secretary of State finds that any foreign country denies fair and equitable treatment to the nationals of the United States, its commerce, navigation, or industry, and so notifies the Secretary, the Secretary shall have authority to withhold or withdraw any increase in the share of the domestic consumption requirements provided for such country by this Act as compared with the share allowed under section 202 (b) of the Sugar Act of 1937: *Provided*, That any amount of sugar so withheld or withdrawn shall be prorated to domestic areas on the basis of existing quotas for such areas and the Secretary shall revise such quotas accordingly: *Provided further*, That any portion of such amount of sugar which cannot be supplied by domestic areas may be prorated to foreign countries other than a country which the Secretary of State finds has denied fair and equitable treatment to nationals of the United States.

Authority to withhold or withdraw sugar.

*Supra*.  
Proration to domestic areas.

Proration to foreign countries.

SEC. 203. In accordance with such provisions of section 201 as he deems applicable, the Secretary shall also determine the amount of sugar needed to meet the requirements of consumers in the Territory of Hawaii, and in Puerto Rico, and shall establish quotas for the amounts of sugar which may be marketed for local consumption in such areas equal to the amounts determined to be needed to meet the requirements of consumers therein.

Determination of consumer needs in Hawaii and Puerto Rico.

SEC. 204. (a) The Secretary shall, from time to time during the calendar year, determine whether, in view of the current inventories of sugar, the estimated production from the acreage of sugarcane or sugar beets planted, the normal marketings within a calendar year of new-crop sugar, and other pertinent factors, any domestic area, the Republic of the Philippines, or Cuba, will be unable to market the quota for such area. If the Secretary finds that any domestic area or Cuba will be unable to market the quota for such area for the calendar year then current, he shall revise the quotas for the domestic areas and Cuba by prorating an amount of sugar equal to the deficit so determined to the other such areas on the basis of the quotas then in effect: *Provided, however*, That domestic areas shall not share in any deficit of any domestic area if the then outstanding determination of the Secretary made pursuant to section 201 of the Act is less than seven million short tons, raw value. If the Secretary finds that the Republic of the Philippines will be unable to market the quota for such area for the calendar year then current, he shall revise the quotas for Cuba and foreign countries other than Cuba and the Republic of the Philippines by prorating an amount of sugar equal to the deficit so determined, as follows:

Revision of quotas.

To Cuba.....	95 per centum
To foreign countries other than Cuba and the Republic of the Philippines.....	5 per centum

*Provided, however*, That whenever the quota for Cuba established under the provisions of this Act other than section 202 (d) is less than the amount required by the provisions of section 202 (d) of this Act, such prorations shall be as follows:

To Cuba.....	98.64 per centum
To foreign countries other than Cuba and the Republic of the Philippines.....	1.36 per centum

Proration of Philippine deficit.

Any portion of such Philippine deficit which the Secretary determines cannot be supplied by Cuba shall be prorated to foreign countries other than Cuba and the Republic of the Philippines. No part of any Philippine deficit so prorated may be filled by direct-consumption sugar.

Revision of proration among foreign countries.

(b) If, on the 1st day of September in any calendar year, any part or all of the proration to any foreign country of the quota for foreign countries other than Cuba and the Republic of the Philippines established under the provisions of section 202 (c) has not been filled, the Secretary may revise the proration of such quota among such foreign countries by allotting an amount of sugar equal to such unfilled proration to such foreign countries as have filled their prorations of such quota by such date.

Nonreduction of quota.

(c) The quota for any domestic area, the Republic of the Philippines, Cuba, or other foreign countries as established under the provisions of section 202 shall not be reduced by reason of any determination of a deficit existing in any calendar year under the provisions of subsections (a) and (b) of this section 204.

Basis of proration.

(d) Any proration among foreign countries other than Cuba and the Republic of the Philippines pursuant to this section shall be on such basis as the Secretary shall determine.

Allotment of quotas to persons marketing or importing sugar.

SEC. 205. (a) Whenever the Secretary finds that the allotment of any quota, or proration thereof, established for any area pursuant to the provisions of this Act, is necessary to assure an orderly and adequate flow of sugar or liquid sugar in the channels of interstate or foreign commerce, or to prevent disorderly marketing or importation of sugar or liquid sugar, or to maintain a continuous and stable supply of sugar or liquid sugar, or to afford all interested persons an equitable opportunity to market sugar or liquid sugar within any area's quota, after such hearing and upon such notice as he may by regulations prescribe, he shall make allotments of such quota or proration thereof by allotting to persons who market or import sugar or liquid sugar, for such periods as he may designate, the quantities of sugar or liquid sugar which each such person may market in continental United States, the Territory of Hawaii, or Puerto Rico, or may import or bring into continental United States, for consumption therein. Allotments shall be made in such manner and in such amounts as to provide a fair, efficient, and equitable distribution of such quota or proration thereof, by taking into consideration the processings of sugar or liquid sugar from sugar beets or sugarcane to which proportionate shares, determined pursuant to the provisions of subsection (b) of section 302, pertained; the past marketings or importations of each such person; and the ability of such person to market or import that portion of such quota or proration thereof allotted to him. The Secretary may also, upon such hearing and notice as he may by regulations prescribe, revise or amend any such allotment upon the same basis as the initial allotment was made.

Post, p. 930.

Revision of allotment.

(b) An appeal may be taken, in the manner hereinafter provided from any decision making such allotments, or revisions thereof, to the United States Court of Appeals for the District of Columbia in any of the following cases:

Appeal from decision.

(1) By any applicant for an allotment whose application shall have been denied.

(2) By any person aggrieved by reason of any decision of the Secretary granting or revising any allotment made to him.

Filing of notice of appeal, etc.

(c) Such appeal shall be taken by filing with said court, within twenty days after the decision complained of is effective, notice in writing of said appeal and a statement of the reasons therefor, together

with proof of service of a true copy of said notice and statement upon the Secretary. Unless a later date is specified by the Secretary as part of his decision, the decision complained of shall be considered to be effective as of the date on which public announcement of the decision is made at the office of the Secretary in the city of Washington. The Secretary shall thereupon, and in any event not later than ten days from the date of such service upon him, mail or otherwise deliver a copy of said notice of appeal to each person shown by the records of the Secretary to be interested in such appeal and to have a right to intervene therein under the provisions of this section, and shall at all times thereafter permit any such person to inspect and make copies of appellants' reasons for said appeal at the office of the Secretary in the city of Washington. Within thirty days after the filing of said appeal the Secretary shall file with the court the originals or certified copies of all papers and evidence presented to him upon the hearing involved, a like copy of his decision thereon, a full statement in writing of the facts and grounds for his decisions as found and given by him and a list of all interested persons to whom he has mailed or otherwise delivered a copy of said notice of appeal.

Effective date of decision.

Filing of certified copies, etc., by Secretary.

(d) Within thirty days after the filing of said appeal any interested person may intervene and participate in the proceedings had upon said appeal by filing with the court a notice of intention to intervene and a verified statement showing the nature of the interest of such party together with proof of service of true copies of said notice and statement, both upon the appellant and upon the Secretary. Any person who would be aggrieved or whose interests would be adversely affected by reversal or modification of the decision of the Secretary complained of shall be considered an interested party.

Intervention by interested person, etc.

(e) At the earliest convenient time the court shall hear and determine the appeal upon the record before it, and shall have power, upon such record, to enter a judgment affirming or reversing the decision, and if it enters an order reversing the decision of the Secretary it shall remand the case to the Secretary to carry out the judgment of the court: *Provided, however,* That the review by the court shall be limited to questions of law and that findings of fact by the Secretary, if supported by substantial evidence, shall be conclusive unless it shall clearly appear that the findings of the Secretary are arbitrary or capricious. The court's judgment shall be final, subject, however, to review by the Supreme Court of the United States, upon writ of certiorari on petition therefor, under section 240 of the Judicial Code, as amended (U. S. C., title 28, sec. 347), by appellant, by the Secretary, or by any interested party intervening in the appeal.

Jurisdiction.

Limitation.

Finality of judgment.

36 Stat. 1157.

Judgment for costs.

(f) The court may, in its discretion, enter judgment for costs in favor of or against an appellant, and other interested parties intervening in said appeal, but not against the Secretary, depending upon the nature of the issues involved in such appeal and the outcome thereof.

SEC. 206. Subject to the provisions of sections 207 and 408 relating to the suspension of quotas, sugar quotas shall be established pursuant to this Act for the calendar year 1948 within ten days after effective date of this Act.

Establishment of quotas for 1948.  
*Post*, p. 933.

SEC. 207. (a) Not more than twenty-nine thousand six hundred and sixteen short tons, raw value, of the quota for Hawaii for any calendar year may be filled by direct-consumption sugar.

Direct-consumption portions of quotas.  
Hawaii.

(b) Not more than one hundred and twenty-six thousand and thirty-three short tons, raw value, of the quota for Puerto Rico for any calendar year may be filled by direct-consumption sugar.

Puerto Rico.

(c) None of the quota for the Virgin Islands for any calendar year may be filled by direct-consumption sugar.

Virgin Islands.

Philippines.

60 Stat. 144.  
22 U. S. C. § 1261.

Cuba.

Nonapplicability.  
*Ante*, p. 925.

Suspension of direct-  
consumption portions  
of quotas.

*Post*, p. 933.

Quotas for liquid  
sugar for foreign coun-  
tries.

Unlawful acts.

Determinations in  
terms of raw value.

Liquid sugar.

Credits and draw-  
backs.

46 Stat. 663.  
19 U. S. C. § 1313.

(d) Not more than fifty-six thousand short tons of sugar of the quota for the Republic of the Philippines for any calendar year may be filled by direct-consumption sugar as specified in section 211 of the Philippine Trade Act of 1946.

(e) Not more than three hundred and seventy-five thousand short tons, raw value, of the quota for Cuba for any calendar year may be filled by direct-consumption sugar.

(f) This section shall not apply with respect to the quotas established under section 203 for marketing for local consumption in Hawaii and Puerto Rico.

(g) The direct-consumption portions of the quotas established pursuant to this section, and the enforcement provisions of title II applicable thereto, shall continue in effect and shall not be subject to suspension pursuant to the provisions of section 408 of this Act unless the President acting thereunder specifically finds and proclaims that a national economic or other emergency exists with respect to sugar or liquid sugar which requires the suspension of direct-consumption portions of the quotas.

SEC. 208. Quotas for liquid sugar for foreign countries for each calendar year are hereby established as follows:

Country	In terms of wine gallons of 72% total sugar content
Cuba .....	7, 970, 558
Dominican Republic .....	830, 894
Other foreign countries .....	0

SEC. 209. All persons are hereby prohibited—

(a) From bringing or importing into the continental United States from the Territory of Hawaii, Puerto Rico, the Virgin Islands, or foreign countries, (1) any sugar or liquid sugar after the applicable quota, or the proration of any such quota, has been filled, or (2) any direct-consumption sugar after the direct-consumption portion of any such quota has been filled;

(b) From shipping, transporting, or marketing in interstate commerce, or in competition with sugar or liquid sugar shipped, transported, or marketed in interstate or foreign commerce, any sugar or liquid sugar produced from sugar beets or sugarcane grown in either the domestic-beet-sugar area or the mainland cane-sugar area after the quota for such area has been filled;

(c) From marketing in either the Territory of Hawaii or Puerto Rico, for consumption therein, any sugar or liquid sugar after the quota therefor has been filled;

(d) From exceeding allotments of any quota, direct-consumption portion of any quota, or proration of any quota, made to them pursuant to the provisions of this Act.

SEC. 210. (a) The determinations provided for in sections 201 and 203, and all quotas, prorations, and allotments, except quotas established pursuant to the provisions of section 208, shall be made or established in terms of raw value.

(b) For the purposes of this title, liquid sugar, except that imported from foreign countries, shall be included with sugar in making the determinations provided for in sections 201 and 203 and in the establishment or revision of quotas, prorations, and allotments.

SEC. 211. (a) The raw-value equivalent of any sugar or liquid sugar in any form, including sugar or liquid sugar in manufactured products, exported from the continental United States under the provisions of section 313 of the Tariff Act of 1930 shall be credited against any charges which shall have been made in respect to the applicable quota or proration for the country of origin. The country of origin of sugar or liquid sugar in respect to which any credit shall be established

shall be that country in respect to importation from which draw-back of the exported sugar or liquid sugar has been claimed. Sugar or liquid sugar entered into the continental United States under an applicable bond established pursuant to orders or regulations issued by the Secretary, for the express purpose of subsequently exporting the equivalent quantity of sugar or liquid sugar as such, or in manufactured articles, shall not be charged against the applicable quota or proration for the country of origin.

(b) Exportation within the meaning of sections 309 and 313 of the Tariff Act of 1930 shall be considered to be exportation within the meaning of this section.

(c) The quota established for any domestic sugar-producing area may be filled only with sugar or liquid sugar produced from sugar beets or sugarcane grown in such area: *Provided, however*, That any sugar or liquid sugar admitted free of duty from the Virgin Islands under the Act of Congress, approved March 3, 1917 (39 Stat. 1133), may be admitted within the quota for the Virgin Islands.

SEC. 212. The provisions of this title shall not apply to (1) the first ten short tons, raw value, of sugar or liquid sugar imported from any foreign country, other than Cuba and the Republic of the Philippines, in any calendar year; (2) the first ten short tons, raw value, of sugar or liquid sugar imported from any foreign country, other than Cuba and the Republic of the Philippines, in any calendar year for religious, sacramental, educational, or experimental purposes; (3) liquid sugar imported from any foreign country, other than Cuba and the Republic of the Philippines, in individual sealed containers of such capacity as the Secretary may determine, not in excess of one and one-tenth gallons each; or (4) any sugar or liquid sugar imported, brought into, or produced or manufactured in the United States for the distillation of alcohol, or for livestock feed, or for the production of livestock feed.

### TITLE III—CONDITIONAL-PAYMENT PROVISIONS

SEC. 301. The Secretary is authorized to make payments on the following conditions with respect to sugar or liquid sugar commercially recoverable from the sugar beets or sugarcane grown on a farm for the extraction of sugar or liquid sugar:

(a) That no child under the age of fourteen years shall have been employed or permitted to work on the farm, whether for gain to such child or any other person, in the production, cultivation, or harvesting of a crop of sugar beets or sugarcane with respect to which application for payment is made, except a member of the immediate family of a person who was the legal owner of not less than 40 per centum of the crop at the time such work was performed; and that no child between the ages of fourteen and sixteen years shall have been employed or permitted to do such work, whether for gain to such child or any other person, for a longer period than eight hours in any one day, except a member of the immediate family of a person who was the legal owner of not less than 40 per centum of the crop at the time such work was performed. The Secretary is authorized to make payments, notwithstanding a failure to comply with the conditions provided in this subsection, but the payments made with respect to any crop shall be subject to a deduction of \$10 for each child for each day, or a portion of a day, during which such child was employed or permitted to work contrary to the foregoing provisions of this subsection.

(b) That there shall not have been marketed (or processed) an amount (in terms of planted acreage, weight, or recoverable sugar content) of sugar beets or sugarcane grown on the farm and used for

46 Stat. 690, 693.  
19 U. S. C. §§ 1309, 1313.

Filling of quota for domestic area.

Duty-free sugar from Virgin Islands.

48 U. S. C. § 1395.

Nonapplicability.

Child labor.

Marketing in excess of proportionate share.

the production of sugar or liquid sugar to be marketed in, or so as to compete with or otherwise directly affect interstate or foreign commerce, in excess of the proportionate share for the farm, as determined by the Secretary pursuant to the provisions of section 302, of the total quantity of sugar beets or sugarcane required to be processed to enable the area in which such sugar beets or sugarcane are produced to meet the quota (and provide a normal carry-over inventory) as estimated by the Secretary for such area for the calendar year during which the larger part of the sugar or liquid sugar from such crop normally would be marketed.

Wage rates.

(c) (1) That all persons employed on the farm in the production, cultivation, or harvesting of sugar beets or sugarcane with respect to which an application for payment is made shall have been paid in full for all such work, and shall have been paid wages therefor at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing; and in making such determinations the Secretary shall take into consideration the standards therefor formerly established by him under the Agricultural Adjustment Act, as amended, and the differences in conditions among various producing areas: *Provided, however*, That a payment which would be payable except for the foregoing provisions of this subparagraph may be made, as the Secretary may determine, in such manner that the laborer will receive an amount, insofar as such payment will suffice, equal to the amount of the accrued unpaid wages for such work, and that the producer will receive the remainder, if any, of such payment.

52 Stat. 31.  
7 U. S. C. §§ 1281-  
1407; 16 U. S. C.  
§§ 590b, 590c.  
*Ante*, pp. 721, 722.

Payment for sugar  
beets, etc., grown by  
other producers.

(2) That the producer on the farm who is also, directly or indirectly a processor of sugar beets or sugarcane, as may be determined by the Secretary shall have paid, or contracted to pay under either purchase or toll agreements, for any sugar beets or sugarcane grown by other producers and processed by him at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing.

Computation of  
amount for payment.

SEC. 302. (a) The amount of sugar or liquid sugar with respect to which payment may be made shall be the amount of sugar or liquid sugar commercially recoverable, as determined by the Secretary, from the sugar beets or sugarcane grown on the farm and marketed (or processed by the producer) not in excess of the proportionate share for the farm, as determined by the Secretary, of the quantity of sugar beets or sugarcane for the extraction of sugar or liquid sugar required to be processed to enable the producing area in which the crop of sugar beets or sugarcane is grown to meet the quota (and provide a normal carry-over inventory) estimated by the Secretary for such area for the calendar year during which the larger part of the sugar or liquid sugar from such crop normally would be marketed.

Determination of  
proportionate shares.

(b) In determining the proportionate shares with respect to a farm, the Secretary may take into consideration the past production on the farm of sugar beets and sugarcane marketed (or processed) for the extraction of sugar or liquid sugar and the ability to produce such sugar beets or sugarcane, and the Secretary shall, insofar as practicable, protect the interests of new producers and small producers and the interests of producers who are cash tenants, share tenants, adherent planters, or share croppers.

Effectivity of pay-  
ments.

(c) Payments shall be effective with respect to sugar or liquid sugar commercially recoverable from sugar beets and sugarcane grown on a farm commencing with the crop year 1948.

Abandonment of  
planted acreage, etc.

SEC. 303. In addition to the amount of sugar or liquid sugar with respect to which payments are authorized under subsection (a) of section 302, the Secretary is also authorized to make payments, on the

conditions provided in section 301, with respect to bona fide abandonment of planted acreage and crop deficiencies of harvested acreage, resulting from drought, flood, storm, freeze, disease, or insects, which cause such damage to all or a substantial part of the crop of sugar beets or sugarcane in the same factory district (as established by the Secretary), county, parish, municipality, or local producing area, as determined in accordance with regulations issued by the Secretary, on the following quantities of sugar or liquid sugar: (1) With respect to such bona fide abandonment of each planted acre of sugar beets or sugarcane, one-third of the normal yield of commercially recoverable sugar or liquid sugar per acre for the farm, as determined by the Secretary; and (2) with respect to such crop deficiencies of harvested acreage of sugar beets or sugarcane, the excess of 80 per centum of the normal yield of commercially recoverable sugar or liquid sugar for such acreage for the farm, as determined by the Secretary, over the actual yield.

SEC. 304. (a) The amount of the base rate of payment shall be 80 cents per hundred pounds of sugar or liquid sugar, raw value.

(b) All payments shall be calculated with respect to a farm which, for the purposes of this Act, shall be a farming unit as determined in accordance with regulations issued by the Secretary, and in making such determinations, the Secretary shall take into consideration the use of common work stock, equipment, labor, management, and other pertinent factors.

(c) The total payment with respect to a farm shall be the product of the base rate specified in subsection (a) of this section multiplied by the amount of sugar and liquid sugar, raw value, with respect to which payment is to be made, except that reduction shall be made from such total payment in accordance with the following scale of reductions:

That portion of the quantity of sugar and liquid sugar which is included within the following intervals of short tons, raw value	Reduction in the base rate of payment per hundredweight of such portion
350 to 700	\$0. 05
700 to 1,000	. 10
1,000 to 1,500	. 20
1,500 to 3,000	. 25
3,000 to 6,000	. 275
6,000 to 12,000	. 30
12,000 to 30,000	. 325
More than 30,000	. 50

(d) Application for payment shall be made by, and payments shall be made to, the producer or, in the event of his death, disappearance, or incompetency, his legal representative, or heirs: *Provided, however*, That all producers on the farm shall signify in the application for payment the percentage of the total payment with respect to the farm to be made to each producer: *And provided further*, That payments may be made, (1) in the event of the death, disappearance, or incompetency of a producer, to such beneficiary as the producer may designate in the application for payment; (2) to one producer of a group of two or more producers, provided all producers on the farm designate such producer in the application for payment as sole recipient for their benefit of the payment with respect to the farm; or (3) to a person who is not a producer, provided such person controls the land included within the farm with respect to which the application for payment is made and is designated by the sole producer (or all

Amount of base rate.

Payments with respect to farm.

Scale of reductions.

Application by and payment to producer.

Payment in case of death, etc.

One producer of a group.

Nonproducer.



- producers) on the farm, as sole recipient for his or their benefit, of the payment with respect to the farm.
- Use of local committees, etc.**  
*Ante*, pp. 923, 929. SEC. 305. In carrying out the provisions of titles II and III of this Act, the Secretary is authorized to utilize local committees of sugar beet or sugarcane producers, State and county agricultural conservation committees, or the Agricultural Extension Service and other agencies, and the Secretary may prescribe that all or a part of the expenses of such committees may be deducted from the payments herein authorized.
- Review of facts by Secretary.** SEC. 306. The facts constituting the basis for any payment, or the amount thereof authorized to be made under this title, officially determined in conformity with rules or regulations prescribed by the Secretary, shall be reviewable only by the Secretary, and his determinations with respect thereto shall be final and conclusive.
- Applicability.** SEC. 307. This title shall apply to the continental United States, the Territory of Hawaii, Puerto Rico, and the Virgin Islands.

#### TITLE IV—GENERAL PROVISIONS

- Expenditures.** SEC. 401. For the purposes of this Act, the Secretary may make such expenditures as he deems necessary to carry out the provisions of this Act, including personal services and rents in the District of Columbia and elsewhere.
- Appropriations authorized.**  
*Ante*, p. 929. SEC. 402. (a) There is hereby authorized to be appropriated for each fiscal year for the purposes and administration of this Act the funds necessary to make the payments provided for in title III of this Act and such other amounts as the Congress determines to be necessary for such fiscal year to carry out the other provisions of the Act.
- Availability of funds.** (b) All funds available for carrying out this Act shall be available for allotment to the bureaus and offices of the Department of Agriculture and for transfer to such other agencies of the Federal Government as the Secretary may request to cooperate or assist in carrying out the provisions of this Act.
- 50 Stat. 903.  
7 U. S. C. §§ 1100-1183.  
*Ante*, p. 543.** (c) The funds made available for the purpose of enabling the Secretary to carry into effect the provisions of the Sugar Act of 1937, as amended, during the fiscal year 1948 are also hereby made available to the Secretary for purposes of administration of the provisions of this Act during the fiscal year 1948.
- Orders or regulations.** SEC. 403. (a) The Secretary is authorized to make such orders or regulations, which shall have the force and effect of law, as may be necessary to carry out the powers vested in him by this Act. Any person knowingly violating any order or regulation of the Secretary issued pursuant to this Act shall, upon conviction, be punished by a fine of not more than \$100 for each such violation.
- Penalty.** (b) Each determination issued by the Secretary in connection with quotas and deficits under title II or payments under title III of this Act shall be promptly published in the Federal Register and shall be accompanied by a statement of the bases and considerations upon which such determination was made.
- Publication of determination in Federal Register.**  
*Ante*, pp. 923, 929. SEC. 404. The several district courts of the United States are hereby vested with jurisdiction specifically to enforce, and to prevent and restrain any person from violating, the provisions of this Act or of any order or regulation made or issued pursuant to this Act. If and when the Secretary shall so request, it shall be the duty of the several district attorneys of the United States, in their respective districts, to institute proceedings to enforce the remedies and to collect the penalties and forfeitures provided for in this Act. The remedies provided for in this Act shall be in addition to, and not exclusive of, any of the remedies or penalties existing at law or in equity.
- Jurisdiction, etc.**

SEC. 405. Any person who knowingly violates, or attempts to violate, or who knowingly participates or aids in the violation of, any of the provisions of section 209, or any person who brings or imports into the continental United States direct-consumption sugar after the quantities specified in section 207 have been filled, shall forfeit to the United States the sum equal to three times the market value, at the time of the commission of any such act, (a) of that quantity of sugar or liquid sugar by which any quota, proration, or allotment is exceeded, or (b) of that quantity brought or imported into the continental United States after the quantities specified in section 207 have been filled, which forfeiture shall be recoverable in a civil suit brought in the name of the United States.

Violation of designated provisions.

*Ante*, p. 928.

*Ante*, p. 927.

SEC. 406. All persons engaged in the manufacturing, marketing, or transportation or industrial use of sugar or liquid sugar, and having information which the Secretary deems necessary to enable him to administer the provisions of this Act, shall, upon the request of the Secretary, furnish him with such information. Any person willfully failing or refusing to furnish such information or furnishing willfully any false information, shall upon conviction be subject to a penalty of not more than \$1,000 for each such violation.

Furnishing of information.

Penalty.

SEC. 407. No person shall, while acting in any official capacity in the administration of this Act, invest or speculate in sugar or liquid sugar, contracts relating thereto, or the stock or membership interests of any association or corporation engaged in the production or manufacturing of sugar or liquid sugar. Any person violating this section shall upon conviction thereof be fined not more than \$10,000 or imprisoned not more than two years, or both.

Speculation, etc., by person acting in official capacity.

SEC. 408. Whenever pursuant to the provisions of this Act the President finds and proclaims that a national economic or other emergency exists with respect to sugar or liquid sugar, he shall by proclamation suspend the operation, except as provided in section 207 of this Act, of all the provisions of title II above, and, thereafter, the operation of such title shall continue in suspense until the President finds and proclaims that the facts which occasioned such suspension no longer exist. The Secretary shall make such investigations and reports thereon to the President as may be necessary to aid him in carrying out the provisions of this section.

Suspension of title II.

*Ante*, p. 927.

*Ante*, p. 923.

SEC. 409. Whenever the Secretary determines that such action is necessary to effectuate the purposes of this Act, he is authorized, if first requested by persons constituting or representing a substantial proportion of the persons affected in any one of the five domestic sugar-producing areas, to make for such area surveys and investigations to the extent he deems necessary, including the holding of public hearings, and to make recommendations with respect to (a) the terms and conditions of contracts between the producers and processors of sugar beets and sugarcane in such area and (b) the terms and conditions of contracts between laborers and producers of sugar beets and sugarcane in such area. In carrying out the provisions of this section, information shall not be made public with respect to the individual operations of any processor, producer, or laborer.

Surveys and investigations.

SEC. 410. The Secretary is authorized to conduct surveys, investigations, and research relating to the conditions and factors affecting the methods of accomplishing most effectively the purposes of this Act and for the benefit of agriculture generally in any area. Notwithstanding any provision of existing law, the Secretary is authorized to make public such information as he deems necessary to carry out the provisions of this Act.

SEC. 411. The powers vested in the Secretary under this Act shall terminate on December 31, 1952, except that the Secretary shall have

Termination of powers.

*Ante*, p. 929.

Effective date.

50 Stat. 916.  
7 U. S. C. § 1183.*Ante*, p. 929.

power to make payments under title III under programs applicable to the crop year 1952 and previous crop years.

SEC. 412. The provisions of this Act, except where an earlier effective date is provided for herein, shall become effective January 1, 1948. As provided in section 513 of the Sugar Act of 1937, the powers vested in the Secretary under that Act shall terminate on December 31, 1947, except that the Secretary shall have power to make payments under title III of that Act under programs thereunder applicable to the crop year 1947 and previous crop years.

## TITLE V—AMENDMENTS TO THE INTERNAL REVENUE CODE

53 Stat. 428.  
26 U. S. C. § 3507  
(b).

SEC. 501. (a) Subsection (b) of section 3507 of the Internal Revenue Code (relating to the definition of "manufactured sugar") is amended by inserting in the parenthesis after the word "added" therein the following: "or developed in the product".

53 Stat. 429.  
26 U. S. C. § 3508.

(b) Section 3508 of the Internal Revenue Code (relating to termination of taxes) is amended to read as follows:

### "SEC. 3508. TERMINATION OF TAXES.

53 Stat. 426, 428.  
26 U. S. C. §§ 3490,  
3500.

"No tax shall be imposed under this chapter on the manufacture, use, or importation of sugar or articles composed in chief value of sugar after June 30, 1953. Notwithstanding the provisions of section 3490 or 3500, no tax shall be imposed under this chapter with respect to unsold sugar held by a manufacturer on June 30, 1953, or with respect to sugar or articles composed in chief value of sugar held in customs custody or control on such date.

*Supra*.

With respect to any sugar or articles composed in chief value of sugar upon which tax imposed under section 3500 has been paid and which, on June 30, 1953, are held by the importer and intended for sale or other disposition, there shall be refunded (without interest) to such importer, subject to such regulations as may be prescribed by the Commissioner of Customs with the approval of the Secretary, an amount equal to the tax paid with respect to such sugar or articles composed in chief value of sugar."

Effective date.

(c) The amendments to the Internal Revenue Code provided for in this section shall become effective upon the first day of the second month following the date of the enactment of this Act.

Approved August 8, 1947.

## [CHAPTER 520]

### AN ACT

December 17, 1947  
[S. 1774]  
[Public Law 389]

To promote world peace and the general welfare, national interest, and foreign policy of the United States by providing aid to certain foreign countries.

Foreign Aid Act of  
1947.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That this Act may be cited as the "Foreign Aid Act of 1947".

Purpose.

SEC. 2. It is the purpose of this Act to provide immediate aid urgently needed by the peoples of Austria, China, France, and Italy, hereinafter referred to as the recipient countries, to alleviate conditions of hunger and cold and prevent serious economic retrogression.

Presidential powers.

SEC. 3. The President, acting through such existing departments, agencies, or independent establishments of the Government as he shall direct, may, by allocation of funds herein authorized to any such existing departments, agencies, or independent establishments, or by establishing in this country credits subject to the control of the

President, whenever he finds it in furtherance of the purposes of this Act and upon the terms and conditions set forth in this Act—

(a) procure, or provide for the procurement of, from any source—

(1) food, medical supplies, fibers, fuel, petroleum and petroleum products, fertilizer, pesticides, and seed, delivered in a recipient country on or after the date of the enactment of this Act; and

(2) incentive goods, consisting of commodities not in short supply in the United States, including Government-owned stocks, to be used, distributed, or sold in a recipient country, under a specific agreement previously entered into pursuant to section 5 (g) to increase the production or distribution of locally produced commodities referred to in paragraph (1) of this subsection (a): *Provided*, That not more than 5 per centum of the funds made available under the authority of this Act may be used to procure such incentive goods;

(b) transport and store, or provide for transportation and storage of, such commodities;

(c) transfer such commodities to any recipient country;

(d) incur and defray expenses, including administrative expenses and expenses for compensation and travel of personnel, for carrying out the purposes of this Act.

SEC. 4. The President shall promulgate regulations controlling the purchase or procurement of commodities under this Act designed to minimize (a) the drain upon the natural resources of the United States and (b) the impact of such purchase or procurement upon the domestic price level: *Provided*—

(1) That procurement may be from foreign sources whenever the cost delivered to the recipient country will be less than the cost delivered from the United States;

(2) That, except in the case of commodities not produced in commercial quantities in the United States, not more than 10 per centum of the funds made available under the authority of this Act may be used to procure commodities abroad at delivered cost higher than from the United States, its Territories and possessions, provided that the President shall find that such commodities are in short supply or not readily available in the United States: *Provided further*, That no funds made available under the authority of this Act shall be used by any procurement agency of the United States Government for the purchase, within the United States and its Territories and possessions, of any commodities (other than commodities procured by or in the possession of the Commodity Credit Corporation pursuant to Act of July 1, 1941, 55 Stat. 498, as amended) at prices higher than the market price prevailing at the time of the purchase in the area wherein the purchase is made;

(3) That the President shall, in making a finding of short supply in the United States, consider (a) the drain upon natural resources, and (b) the effect of the necessary procurement upon domestic prices;

(4) That the procurement of petroleum and petroleum products shall, to the maximum extent practicable, be made from petroleum sources outside of the United States and its Territories and possessions; and wherever practicable such petroleum and petroleum products shall be delivered to the recipient country by the most economical route from the source of supply.

SEC. 5. Before any commodities are made available to any recipient country under the authority of this Act, an agreement shall be entered

Purchase and procurement regulations.

Procurement from foreign sources.

Price limitation.

15 U. S. C. §§ 713, 713a-1, 713a-4, 713a-8. *Ante*, p. 451.

Petroleum and petroleum products.

Bilateral agreement. Undertaking by recipient country.

into, subject to the limitations and provisions of this Act, between such country and the United States containing an undertaking by such country—

(a) to make efficient use of any commodities made available under the authority of this Act and to take insofar as possible the economic measures necessary to increase its ability to achieve a self-sustaining economy;

(b) to make, when any commodity which is not furnished on terms of repayment in dollars is made available under this Act, a commensurate deposit in the currency of such country in a special account under such general terms and conditions as may, in said agreement, be agreed to between such country and the Government of the United States, and to hold or use such special account for, and only for, such purposes as may be agreed to between such country and the Government of the United States, and under agreement by the government of the receiving country that any unencumbered balance remaining in such account on June 30, 1948, will be disposed of within such country for such purposes as may, subject to approval by Act or joint resolution of the Congress, be agreed between such country and the Government of the United States;

(c) to give full and continuous publicity by all available media (including government press and radio) within such country, so as to inform the ultimate consumers, as to the purpose, source, character, and amounts of commodities made available under the authority of this Act;

(d) to furnish promptly upon request of the President information concerning the method of distribution and use of commodities made available under this Act, and to furnish on March 31, 1948, or as soon as practicable thereafter, information showing—

(1) an itemized list of commodities made available with funds provided under this Act;

(2) the total amount of money received by such country from the sale of commodities made available under this Act and the average price charged per unit for each commodity;

(3) a detailed statement of the disposition of all money and other things of value received from the sale or transfer of any commodities made available under this Act; and

(4) such other information concerning the distribution and use of commodities made available under this Act as may be requested by the President;

(e) to make available to its people at reasonable prices, consistent with economic conditions in the recipient country, such commodities as it may sell under the terms of this Act; and, where necessary, to distribute to indigent and needy persons their fair share of all available food supplies;

(f) to make all possible efforts to secure the maximum production and distribution of locally produced commodities, and not to permit any measures to be taken involving sale, distribution, or use of any commodities of the character covered in this Act which would reduce the locally produced supply of such commodities or the utilization of foreign sources of supply other than the United States;

(g) to enter into specific agreements providing for such use, distribution, and sale of each classification of incentive goods, made available to it under the authority of this Act, as will increase the production or distribution of locally produced commodities referred to in paragraph (1) of section 3 (a);

(h) not to export or permit removal from such country, while need therefor continues, of commodities made available under the authority of this Act or commodities of the same character produced locally or imported from outside sources, except to the extent agreed upon by the Government of the United States;

(i) to permit representatives of the Government of the United States, including such committees of the Congress as may be authorized by their respective Houses, to observe, advise, and report on the distribution among the people of such country of commodities made available under the authority of this Act;

(j) to permit representatives of the press and radio of the United States to observe and report on the distribution and utilization of the commodities made available under this Act and the special account provided for in subsection (b) of this section.

SEC. 6. The President shall promptly terminate the provision of aid under this Act for any country (a) whenever he determines that such country is not adhering to the terms of its agreement entered into in accordance with section 5 of this Act; or (b) whenever he finds, by reason of changed conditions, that the provision of aid under this Act is no longer necessary or desirable; or (c) whenever he finds that because of changed conditions aid under this Act is no longer consistent with the national interests of the United States.

Termination of aid.

SEC. 7. All commodities made available under the authority of this Act or the containers of such commodities shall, to the extent practicable, be marked, stamped, branded, or labeled in a conspicuous place as legibly, indelibly, and permanently as the nature of such commodities or containers will permit, in such manner as to indicate to the people of the country of destination that such commodities have been furnished or made available by the United States of America.

Labeling of commodities or containers.

SEC. 8. Wherever reference is made, in this Act, to commodities made available under the authority of this Act, such reference shall be deemed to include commodities procured with credits made available to a recipient country under the authority of this Act.

"Commodities."

SEC. 9. The President shall take appropriate steps to encourage other countries to make available to recipient countries such aid as they may be able to furnish.

Encouragement of aid by other countries.

SEC. 10. The President may, from time to time, promulgate such rules and regulations as he may find necessary and proper to carry out any of the provisions of this Act: *Provided*, That nothing in this Act shall be deemed to authorize the issuance of any proclamations, orders, rules, or regulations in any way controlling production or prices or allocating deliveries of any commodity within the United States. He may delegate to the Secretary of State any of the powers or authority conferred on him under this Act. In accordance with the direction of the President, the responsibility for administering in the recipient countries the program of assistance provided for in this Act shall be vested in the field administrator of the United States foreign relief program appointed pursuant to section 4 of the joint resolution of May 31, 1947 (Public Law 84, Eightieth Congress). The provisions of subsections (i) and (j) of section 5 of this Act shall not apply to distribution of commodities in Austria: *Provided*, That the President shall have determined, upon recommendation of the United States High Commissioner for Austria, that commodities furnished to Austria hereunder will be distributed under control systems embodied in agreements between the High Commissioner and the other occupying authorities or the Austrian Government which assure compliance with the objectives of the occupation and with the purposes of this Act. No citizen or resident of the United States shall serve under this Act as a United States representative,

Rules and regulations.

Delegation of powers. Administration abroad.

*Ante*, p. 127.  
Distribution in Austria.

Loyalty and security investigations.

observer, or adviser until such person has been investigated as to loyalty and security by the Federal Bureau of Investigation. The field administrator may, when he finds it essential to the purposes of this Act, utilize for observation the services of a limited number of other persons, who shall be investigated and approved by the field administrator.

Appropriation au-  
thorized.  
*Post*, p. 942.

SEC. 11. (a) There is hereby authorized to be appropriated not to exceed \$597,000,000, out of any money in the Treasury not otherwise appropriated, to carry out the provisions and accomplish the purposes of this Act. This Act, however, shall not imply any present or future obligation to give aid to any foreign country, nor shall it imply or guarantee the availability of any specific commodities.

Wheat, wheat flour,  
and cereal grain.

(b) Notwithstanding any other provision of this Act, none of the funds authorized or made available under this Act shall be used or made available for use for the acquisition of wheat, wheat flour, or cereal grain in the United States or the shipment thereof from the United States unless the President shall first—

(1) survey the requirements of other countries which are dependent upon the United States for a portion of their supplies of such commodities;

(2) estimate the quantities of such commodities which will probably be made available to such countries from the United States; and

(3) estimate the total amount of such commodities available for export from the United States to the recipient countries, after giving due consideration to the quantity thereof required in this country for food, feed, seed, and industrial uses, and for the needs of other countries dependent upon the United States for supplies of such commodities. In estimating the amount of such commodities available for export from the United States the President shall allow for a carry-over of wheat in the United States as of July 1, 1948, of not less than one hundred and fifty million bushels to protect the economy of the United States from inflationary prices and to insure against a scarcity of bread for domestic consumption during the twelve-month period beginning July 1, 1948.

The funds authorized herein shall not be made available or used to acquire a quantity of wheat, wheat flour and cereal grain in the United States which, after taking into consideration the amount estimated for export to other countries, and the amount needed for domestic consumption in the United States, will leave a carry-over of less than one hundred and fifty million bushels of wheat on July 1, 1948, unless the estimates of the President after March 1, 1948, justify an increase in the amount available for export to recipient countries with full protection for domestic needs.

Availability of  
funds.

(c) Funds authorized under this Act, when allocated to any department, agency, or independent establishment of the Government, shall be available for obligation and expenditure in accordance with the laws governing obligations and expenditures of such department, agency, or independent establishment or organizational unit thereof concerned, and without regard to sections 3709 and 3648 of the Revised Statutes, as amended (41 U. S. C. 5; 31 U. S. C. 529).

Advances by RFC  
*Ante*, p. 125.

(d) Notwithstanding the provisions of any other law, the Reconstruction Finance Corporation is authorized and directed, until such time as an appropriation shall be made pursuant to this section, to make advances, not to exceed in the aggregate \$150,000,000, to carry out the provisions of this Act, in such manner and in such amounts as the President shall determine. From appropriations authorized under this section, there shall be repaid without interest to the Reconstruction Finance Corporation the advances made by it under the

authority contained herein. No interest shall be charged on advances made by the Treasury to the Reconstruction Finance Corporation in implementation of this subsection.

(e) Notwithstanding any other provision of law, any commodity heretofore or hereafter acquired by any agency of the Government under any price-support program shall, to the extent that such commodity is determined by the President to be appropriate for such purpose and in excess of domestic requirements, be utilized in providing aid under this Act or any other Act providing for assistance and relief to foreign countries, and shall be disposed of by such agency for such purpose at such price as may be determined by such agency, which price may be the equivalent of the domestic market price of a quantity of wheat having a caloric value equal to that of the quantity of the commodity so disposed of. Any such agency shall report to the Congress on March 31, 1948, or as soon as practicable thereafter, the amount of losses incurred by it as the result of the disposition of commodities hereunder and the Secretary of the Treasury is authorized and directed to cancel notes of such agency held by him in an amount equal to the amount of such losses.

Commodities acquired under price-support programs.  
*Post*, p. 942.

Report to Congress.

SEC. 12. Personnel employed to carry out the purposes of this Act shall not be included in computing limitations on personnel established pursuant to the Federal Employees Pay Act of 1945 (59 Stat. 298), as amended by section 14 of the Federal Employees Pay Act of 1946 (60 Stat. 219).

Nonapplication of certain personnel limitations.

5 U. S. C. § 947.

SEC. 13. The President, from time to time, but not less frequently than once every calendar quarter, and until the end of the quarterly period after all operations under the authority of this Act have been completed, shall transmit to the Congress a report of operations under this Act. All information received pursuant to undertakings provided for by section 5 (d) of this Act shall, as soon as may be practicable after the receipt thereof, be reported to the Congress. Reports provided for under this section shall be transmitted to the Secretary of the Senate or the Clerk of the House of Representatives, if the Senate or the House of Representatives, as the case may be, is not in session.

Report to Congress.

SEC. 14. The functions, applicable records, and funds provided for the purposes of carrying out this Act shall be transferred to the administration of any organization for general foreign aid which Congress may provide. To the extent that any funds may be made available under provisions of any other Act heretofore or hereafter passed relating to China, any funds reserved under this Act for China may be used for aid to the other countries named in section 2 of this Act.

Transfer of functions, etc., to foreign aid organization.

SEC. 15. After March 31, 1948, no funds may be obligated for the procurement of commodities provided for under this Act.

Time limitation.

SEC. 16. (a) Clause (1) in the proviso in the first paragraph of the first section of the joint resolution of May 31, 1947 (Public Law 84, Eightieth Congress), is amended to read as follows: "(1) to constitute more than 57 per centum of the aggregate amount contributed to said fund by all governments, including the United States;"

International Children's Emergency Fund of U. N.  
*Ante*, p. 125.

(b) The amendment made by subsection (a) of this section shall take effect as of May 31, 1947.

SEC. 17. If any provision of this Act or the application of such provision to any circumstance shall be held invalid, the validity of the remainder of the Act and the applicability of such provision to other circumstances shall not be affected thereby.

Saving clause.

SEC. 18. Nothing in this Act shall be construed to make inapplicable, in the case of commodities procured under the authority of this Act, the authority to prohibit or curtail exports granted by section 6 of the Act of July 2, 1940 (Public Law 703, Seventy-sixth Congress), as now in force or as hereafter amended.

Authority to curtail military exports.

54 Stat. 714.  
50 U. S. C. app. § 701.  
*Ante*, pp. 214, 323; *post*, p. 946.

Approved December 17, 1947.



## [CHAPTER 521]

## AN ACT

December 19, 1947  
[H. R. 4627]  
[Public Law 390]

To authorize an appropriation for the immediate relief of the Navajo and Hopi Indians, and for other purposes.

Navajo and Hopi  
Indians.  
Appropriation au-  
thorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated the sum of \$2,000,000, or so much thereof as may be necessary, to enable the Secretary of the Interior to provide immediate relief for needy Navajo and Hopi Indians who are on their reservations or allotted holdings and for those who leave their reservations for employment as hereinafter provided. Not to exceed \$500,000 of such amount shall be available for relief of the children, the blind, aged, sick, and disabled, who are needy, and the needy able-bodied where work is not available; and not to exceed \$1,500,000 (a) to provide useful employment on permanent construction projects duly authorized for the Navajo and Hopi Indians and (b) to secure employment off their reservations for Navajo and Hopi Indians.

Long-range pro-  
gram.

SEC. 2. The Secretary of the Interior is authorized and directed at the earliest practicable date to submit to the Congress his recommendations for necessary legislation for a long-range program dealing with the problems of the Navajo and Hopi Indians.

Approved December 19, 1947.

## [CHAPTER 522]

## AN ACT

December 19, 1947  
[H. R. 4469]  
[Public Law 391]

To amend the Act of July 7, 1947, so as to authorize the Commission on Organization of the Executive Branch of the Government to procure the temporary or intermittent services of experts or consultants or organizations thereof.

Commission on Or-  
ganization of the Ex-  
ecutive Branch of the  
Government.  
*Ante*, p. 247.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 7 of the Act of July 7, 1947 (Public Law 162, Eightieth Congress), is hereby amended to read as follows:

42 Stat. 1488.  
5 U. S. C. §§ 661-674.

"SEC. 7. (a) The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable, in accordance with the provisions of the civil-service laws and the Classification Act of 1923, as amended: *Provided*, That the Commission also may procure, without regard to the civil-service laws and classification laws, temporary and intermittent services to the same extent as is authorized for the departments by section 15 of the Act of August 2, 1946 (Public Law 600, Seventy-ninth Congress, 60 Stat. 810), but at rates not to exceed \$50 per diem for individuals.

5 U. S. C. § 55a.

"(b) Service of an individual as a member of the Commission or employment of an individual by the Commission as an attorney or expert in any business or professional field, on a part-time or full-time basis, with or without compensation, shall not be considered as service or employment bringing such individual within the provisions of sections 109 or 113 of the Criminal Code (U. S. C., 1940 edition, title 18, secs. 198 and 203), or of section 19 (e) of the Contract Settlement Act of 1944, or of any other Federal law imposing restrictions, requirements, or penalties in relation to the employment of persons, the performance of services, or the payment or receipt of compensation in connection with any claim, proceeding, or matter involving the United States."

35 Stat. 1107, 1109.  
58 Stat. 668.  
41 U. S. C. § 119.

Approved December 19, 1947.

## [CHAPTER 523]

## JOINT RESOLUTION

Authorizing the Secretary of Agriculture to publish the names and addresses of persons transacting business on the boards of trade, and the amounts of commodities purchased or sold by them; to furnish to committees of Congress upon request and to make public any such information in his possession; and for other purposes.

December 19, 1947  
[S. J. Res. 170]  
[Public Law 392]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 8 of the Commodity Exchange Act, as amended, is amended by adding at the end thereof the following new paragraph:

Commodity Ex-  
change Act, amend-  
ment.  
42 Stat. 1003; 49  
Stat. 1491.  
7 U. S. C. § 12.

"Notwithstanding the foregoing provisions of this section or of any other law, the Secretary of Agriculture may, in his discretion, from time to time disclose and make public the names and addresses of all traders on the boards of trade on the commodity markets with respect to whom the Secretary has information, and any other information in the possession of the Department of Agriculture relating to the amount of commodities purchased or sold by each such trader; and when requested by any committee of either House of Congress, acting within the scope of its jurisdiction, shall furnish to such committee and make public the names and addresses of all traders on such boards of trade with respect to whom the Secretary has information, and any other information in the possession of the Department of Agriculture relating to the amounts of commodities purchased or sold by each such trader."

Approved December 19, 1947.

## [CHAPTER 524]

## AN ACT

Making supplemental appropriations for the fiscal year ending June 30, 1948, and for other purposes.

December 23, 1947  
[H. R. 4748]  
[Public Law 393]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations for the fiscal year ending June 30, 1948, and for other purposes, namely:

Third Supplemen-  
tal Appropriation Act,  
1948.

## LEGISLATIVE

## SENATE

For payment, in equal portions, to Theodore G. Bilbo, Junior, son, and Jessie Forrest Bilbo, daughter, of Theodore G. Bilbo, late a Senator from the State of Mississippi, \$12,500.

## SALARIES, MILEAGE, AND EXPENSES OF SENATORS

For additional mileage of the President of the Senate and of Senators, at the rate authorized by law, \$51,000.

*Ante*, p. 361.

## HOUSE OF REPRESENTATIVES

For payment to Fannie H. Gifford, widow of Charles L. Gifford, late a Representative from the State of Massachusetts, \$12,500.

For payment to Nancy M. Springer, widow of Raymond S. Springer, late a Representative from the State of Indiana, \$12,500.

## SALARIES, MILEAGE, AND EXPENSES OF MEMBERS

For additional mileage of Members of the House of Representatives, Delegates from Territories, and the Resident Commissioner from Puerto Rico, at the rate authorized by law, \$171,000.

*Ante*, p. 364.

## FUNDS APPROPRIATED TO THE PRESIDENT

## FOREIGN AID

*Ante*, p. 938.*Ante*, pp. 125, 613.  
Administrative expenses.

Preliminary surveys and estimates.

Foreign aid: To enable the President to carry out the provisions of the Act entitled the "Foreign Aid Act of 1947" (Public Law 389, Eightieth Congress) insofar as applicable to Austria, France, and Italy, \$522,000,000, and to enable the President to carry out the provisions of Public Law 84, in respect to China, \$18,000,000; in all, \$540,000,000: *Provided*, That any administrative expenses which may be incurred by the Department of State in carrying out duties assigned to it under said Act may be paid from any funds available to said Department for administrative expenses, except that funds herein appropriated shall not be available for such purpose: *Provided further*, That none of the funds appropriated or made available by this Act shall be used or made available for use for the acquisition of nitrates or nitrogenous fertilizer, or petroleum products, or wheat, wheat flour, or cereal grain in the United States or the shipment thereof from the United States unless the President shall first—

(1) survey the requirements of other countries which are dependent upon the United States for a portion of their supplies of such commodities, and

(2) estimate the quantities of such commodities which probably will be made available to such countries from the United States, and

(3) estimate the total amount of such commodities available for export from the United States to the recipient countries, after giving due consideration to the quantity thereof required in this country to meet essential domestic needs and for wastage, food, feed, seed, and industrial uses, and for the needs of other countries dependent upon the United States for supplies of such commodities. In determining the amount of such commodities available for export from the United States the President shall allow for a carry-over of wheat in the United States as of July 1, 1948, of not less than one hundred and fifty million bushels, and: *Provided further*, That the funds appropriated in this Act shall not be made available or used to acquire a quantity of wheat, wheat flour, and cereal grain in the United States which, after taking into consideration the amount estimated for export to other countries, and the amount needed for domestic consumption in the United States, will leave a carry-over of less than 150,000,000 bushels of wheat on July 1, 1948.

Wheat carry-over.

Government losses.

*Ante*, p. 939.

The losses incurred by agencies of the Government through sales of commodities in accordance with the terms of subsection (e) of section 11 of the Foreign Aid Act of 1947 shall not exceed \$57,500,000.

## FEDERAL SECURITY AGENCY

## SOCIAL SECURITY ADMINISTRATION

*Ante*, p. 272.

Reconversion unemployment benefits for seamen: For an additional amount for "Reconversion unemployment benefits for seamen," \$1,300,000.

*Ante*, p. 273.

Miscellaneous expenses, Social Security Administration: For an additional amount for "Miscellaneous expenses, Social Security Administration," \$40,000.

*Ante*, p. 523.

## DEPARTMENT OF AGRICULTURE

Utilization of funds.

The Secretary of Agriculture is hereby authorized, with the approval of the Director of the Bureau of the Budget, to utilize, by transfer or otherwise, during the period between the date of approval of this Act and April 1, 1948, such amounts as may be necessary (but not to exceed a total of \$2,750,000) from any appropriation or fund available

to the bureaus, corporations, or agencies of the Department of Agriculture, for expenses necessary to carry out (a) any laws enacted subsequent to December 1, 1947, to (1) authorize the regulation of speculative trading on the commodity exchanges and (2) authorize allocation and inventory control of scarce agricultural commodities; and (b) any programs approved by the President under existing laws to encourage conservation practices in this country: *Provided*, That, notwithstanding any other provision of the appropriation laws concerned, any funds utilized under authority of this paragraph by any bureau, corporation, or agency of such Department shall be in addition to any other funds available to such bureau, corporation, or agency: *Provided further*, That at the end of each calendar month the Secretary shall make a report to the Committees on Appropriations of the House of Representatives and the Senate of obligations incurred pursuant to this paragraph.

Report to Congress.

## DEPARTMENT OF THE ARMY

### CIVIL FUNCTIONS

Government and relief in occupied areas: For an additional amount for "Government and relief in occupied areas", \$340,000,000.

Ante, p. 625.

## DEPARTMENT OF COMMERCE

Ante, p. 294.

The Secretary of Commerce is hereby authorized, with the approval of the Director of the Bureau of the Budget, to utilize, by transfer or otherwise, during the period between the date of approval of this Act and April 1, 1948, such amounts as may be necessary (but not to exceed a total of \$750,000) from any appropriation or fund available to any bureau or office of the Department of Commerce, for expenses necessary to carry out any laws enacted subsequent to December 1, 1947, to (1) extend and strengthen export controls and (2) authorize allocation and inventory control of scarce commodities or voluntary agreements relating thereto (other than agricultural commodities): *Provided*, That, notwithstanding any other provision of the appropriation laws concerned, any funds utilized under authority of this paragraph by any bureau or office of such Department shall be in addition to any other funds available to any such bureau or office: *Provided further*, That at the end of each calendar month the Secretary shall make a report to the Committees on Appropriations of the House of Representatives and the Senate of obligations incurred pursuant to this paragraph.

Utilization of funds.

Report to Congress.

## DEPARTMENT OF THE INTERIOR

### BUREAU OF INDIAN AFFAIRS

Ante, p. 464.

Welfare of Indians: For an additional amount for "Welfare of Indians," including the objects specified under this head in the Interior Department Appropriation Act, 1948, \$500,000.

Ante, p. 466.

Advance to Navajo Tribe of Indians (tribal funds): For advance to the Navajo Tribe of Indians to reimburse the tribal sawmill enterprise for emergency relief expenditures, \$100,000, payable from funds held by the United States in trust for said Indians.

Alaska Native Service: For hospitalization of tuberculous Indians, Eskimos, and Aleuts at the Seward Sanatorium operated by the Methodist church, \$176,000.

Ante, p. 466.

## BUREAU OF RECLAMATION

## RECLAMATION FUND, CONSTRUCTION

Construction: For construction and continuation of construction of the following project in not to exceed the following amount to be reimbursable in full under conditions satisfactory to the Secretary of the Interior as provided in Public Law 247, Eightieth Congress, approved July 25, 1947:

*Ante*, p. 473.

*Ante*, p. 474.

Deschutes project, Oregon, \$72,000, to be available toward emergency rehabilitation of the works of the Arnold Irrigation District under the same terms and conditions as provided in said Public Law 247, Eightieth Congress.

## GENERAL FUND, CONSTRUCTION

Construction: For additional amounts for continuation of construction of the following projects, to remain available until expended, and to be subject to such limitations and restrictions as may be applicable to appropriations for such purposes in the Interior Department Appropriation Act, 1948, or other law, as follows:

*Ante*, p. 475.

Davis Dam project, Arizona-Nevada, \$2,800,000.

Colorado-Big Thompson project, Colorado, \$4,150,000.

Central Valley project, California: Joint facilities, \$1,273,600; irrigation facilities, \$8,771,600; power facilities, Shasta power plant, \$700,000, Keswick Dam, \$145,000, Keswick power plant, \$514,800; in all, \$11,405,000.

Columbia Basin project, Washington, \$13,584,000.

## TITLE II

## GENERAL PROVISIONS

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

*Affidavit.*

*Penalty.*

*Short title.*

SEC. 201. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not, contrary to the provisions of this section, engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

SEC. 202. This Act may be cited as the "Third Supplemental Appropriation Act, 1948."

Approved December 23, 1947.

## [CHAPTER 525]

## AN ACT

To amend the National Housing Act, as amended.

December 27, 1947  
[S. 1770]  
[Public Law 394]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 603 (a) of the National Housing Act, as amended, is hereby amended by striking out "\$4,000,000,000" and inserting in lieu thereof "\$4,450,000,000", and by striking out "\$4,200,000,000" and inserting in lieu thereof "\$4,950,000,000".

National Housing  
Act, amendment.  
*Ante*, p. 777.

SEC. 2. Title VI of the National Housing Act, as amended, shall be employed to assist in maintaining a high volume of new residential construction without supporting unnecessary or artificial costs. In estimating necessary current cost for the purposes of said title, the Federal Housing Commissioner shall therefore use every feasible means to assure that such estimates will approximate as closely as possible the actual costs of efficient building operations.

55 Stat. 55.  
12 U. S. C. §§ 1736-  
1743.  
*Ante*, pp. 193, 208,  
777.

Approved December 27, 1947.

## [CHAPTER 526]

## JOINT RESOLUTION

To aid in the stabilization of commodity prices, to aid in further stabilizing the economy of the United States, and for other purposes.

December 30, 1947  
[S. J. Res. 167]  
[Public Law 395]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

## DECLARATION OF PURPOSES

SECTION 1. The purposes of this joint resolution are to aid in stabilizing the economy of the United States, to aid in curbing inflationary tendencies, to promote the orderly and equitable distribution of goods and facilities, and to aid in preventing maldistribution of goods and facilities which basically affect the cost of living or industrial production.

## VOLUNTARY AGREEMENTS

SEC. 2. (a) In order to carry out the purposes declared in section 1 of this joint resolution, the President is authorized to consult with representatives of industry, business, and agriculture with a view to encouraging the making, by persons engaged in industry, business, and agriculture, of voluntary agreements approved by the President—

Consultations with  
representatives of in-  
dustry, etc.

(1) providing for allocation of transportation facilities and equipment;

(2) providing for priority allocation and inventory control of scarce commodities which basically affect the cost of living or industrial production; or

(3) providing for regulation of speculative trading on commodity exchanges.

(b) The President is authorized to approve any such agreement which he finds will carry out any of the purposes declared in section 1 of this joint resolution, except that he shall not approve any agreement unless such agreement specifically provides that it shall cease to be effective on or before March 1, 1949, and he shall not approve any agreement which provides for the fixing of prices.

Approval.

(c) Whenever a governmental officer or agency determines that a plan of voluntary action with respect to any material, commodity, or facility is practicable and is appropriate to the successful carrying out of the policies set forth in said Act, that agency or official may request in writing compliance by one or more persons with such plan

Request for compli-  
ance with voluntary  
action plan.

Withdrawal.

of voluntary action as may be approved by the Attorney General. Any act or omission by such person or persons in compliance with a written request made pursuant to this section and with a voluntary plan promulgated thereunder shall not be the basis at any time for any prosecution or any civil action or any proceeding under the anti-trust laws of the United States or the Federal Trade Commission Act.

(d) Such written request may, in the discretion of the governmental officer or agency which made the request, be withdrawn at any time by said governmental officer or agency, by written notice from said governmental officer or agency of such withdrawal to the Attorney General, and after publication of notice of such withdrawal in the Federal Register as provided in subsection (e), the provisions of this Act shall not apply to any subsequent act or omission by reason of such request or voluntary plan.

Transmittal and publication.

(e) The Attorney General shall transmit to the President pro tempore of the Senate and to the Speaker of the House of Representatives, and shall order published in the Federal Register every such request, and any withdrawal thereof, and any plan, program, or other arrangements promulgated under, or which is the basis of, any such request.

Expiration.

(f) The power to make requests conferred by this Act shall expire upon expiration of section 2 of this Act, and any requests made and voluntary plans adopted under this Act shall have no force or effect six months thereafter.

"Person."

(g) As used in this section the term "person" means an individual, corporation, partnership, or association.

#### EXPORT CONTROLS

*Ante*, pp. 214, 323.

SEC. 3. (a) Section 6 (d) of the Act of July 2, 1940 (54 Stat. 714), as amended, is amended by striking out "February 29, 1948" and inserting in lieu thereof "February 28, 1949".

Price criteria in licensing of exports.  
54 Stat. 712.  
50 U. S. C. app. § 701.  
*Ante*, pp. 214, 323.

(b) Notwithstanding any other provision of law, the President in the exercise of the powers, authority, and discretion conferred upon him by such Act of July 2, 1940, as amended, is authorized to use price criteria in the licensing of exports, either by giving preference among otherwise comparable applications to those which provide for the lowest prices, or, in exceptional circumstances, by fixing reasonable mark ups in export prices over domestic prices.

#### ALLOCATION OF TRANSPORTATION FACILITIES AND GRAIN

Transportation facilities.  
56 Stat. 177.  
50 U. S. C. app. § 633.  
*Ante*, pp. 25, 34, 322.

SEC. 4. (a) Notwithstanding any other provision of law, title III of the Second War Powers Act, 1942, as amended, shall continue in effect to and including February 28, 1949, or such earlier date as the Congress by concurrent resolution or the President may designate, for the exercise of the powers, authority, and discretion conferred on the President by such title III with respect to the use of transportation equipment and facilities by rail carriers.

Grain.  
56 Stat. 177.  
50 U. S. C. app. § 633.  
*Ante*, pp. 25, 34, 322.

(b) Notwithstanding any other provision of law, title III of the Second War Powers Act, 1942, is hereby revived and reenacted for the exercise of the powers, authority, and discretion conferred on the President by such title III with respect to the use of grain for the production of distilled spirits or neutral spirits for beverage purposes. The authority granted by this subsection shall expire on January 31, 1948.

#### DELEGATION OF AUTHORITY

*Ante*, p. 323.

SEC. 5. The authority granted to the President by section 2 of this joint resolution and, notwithstanding the provisions of section 6 of the Second Decontrol Act of 1947, the authority granted to the Presi-

dent by section 4 of this joint resolution and by section 6 of the Act of July 2, 1940 (54 Stat. 714), as amended, may, to the extent the President directs, be exercised by any department, agency, or officer in the executive branch of the Government.

50 U. S. C. app.  
§ 701.  
*Ante*, pp. 323, 946.

#### CRITICAL SHORTAGES—RECOMMENDATIONS BY THE PRESIDENT

SEC. 6. (a) Whenever the President shall determine that there is or threatens to be a critical shortage of any raw material, commodity, or product which jeopardizes the health or safety of the people of the United States or its national security or welfare and that there is no prospect that such critical shortage may soon be remedied by an increase in the available supply without additional governmental action and that the situation cannot be solved by voluntary agreement under the provisions of this Act, he may prepare proposed measures for conserving such raw material, commodity, or product which he shall submit to the Congress in the following form:

(1) A statement of the circumstances which, in the President's judgment, require the proposed conservation measures.

Statement of circumstances.

(2) A detailed procedure for the administration of the proposed measures including the additional budget and additional personnel required for their enforcement.

Administrative procedure.

(3) The proposed degree of curtailment in current and prospective use of each such raw material, commodity, or product by each processor and/or user thereof, including the specific formulae proposed for such curtailment with respect to each class or classes of processors or users and the criteria used in the establishment of such formulae.

Proposed curtailment.

(4) A complete record of the factual evidence upon which his recommendations are based, including all information provided by any agency of the Federal Government which may have been made available to him in the course of his consideration of the matter.

Factual evidence.

(b) Within fifteen days after the submission of such proposed conservation measures, the Joint Committee on the Economic Report shall conduct public hearings thereon and shall make such recommendations to the Congress for legislative action as in its judgment the recommendations of the President and any additional information disclosed at the public hearings may require.

Public hearings.

#### PRODUCTION OF FOODS IN NONEUROPEAN FOREIGN COUNTRIES

SEC. 7. Notwithstanding any other provision of law, in order to alleviate and prevent shortages in foods, agricultural commodities, and products thereof, Commodity Credit Corporation is authorized to carry out projects to stimulate and increase the production of foods, agricultural commodities, and products thereof, in non-European foreign countries. Such projects may include procurement, the making of advances and price guaranties, the furnishing of technical information and assistance, the furnishing of seed, fertilizer, machinery, equipment and other materials, and such other actions as are necessary or incident to the carrying out of such projects: *Provided*, That any such program is first submitted to Congress by the Secretary of Agriculture, and is not disapproved by concurrent resolution of Congress within sixty days thereafter.

Projects to stimulate production.

#### FOOD AND FEED CONSERVATION PROGRAM

SEC. 8. (a) In order to alleviate shortages in foods and feeds, and to assist in stabilizing prices, the President shall carry out a program for the conservation of food and feed. In carrying out such program, the President is authorized, through the dissemination of information,



Exercise of authority.

Appropriation authorized for conservation program.  
Funds available.

*Ante*, pp. 125, 613, 942.

educational and other campaigns, the furnishing of assistance, and such other voluntary and cooperative measures as he deems necessary or appropriate, to encourage and promote the efficient utilization, care, and preservation of food and feed, the elimination of practices which waste food and feed, the control and eradication of insects and rodents, the consumption of less of these foods and feeds which are in short supply and more of those foods and feeds which are in abundant supply, and other conservation practices. The authority herein conferred may be exercised by the President through such departments, agencies, independent establishments, and officials of the Federal Government and such State, local, and private agencies as he may determine.

(b) There is hereby authorized to be appropriated to the President such sums as may be necessary to carry out this section. To enable the President to carry out this section for the remainder of the fiscal year ending June 30, 1948, there is hereby made available not to exceed \$1,000,000 from any funds made available by the Congress for carrying out Public Law 84, Eightieth Congress, or from any funds made available by the Congress for interim foreign aid. Funds made available for the purpose of this section may be used for necessary administrative expenses, including personal services in the District of Columbia and elsewhere, purchase or hire of motor vehicles, temporary or intermittent services of experts or consultants or organizations thereof, including stenographic reporting services, by contract, without regard to the civil service and classification laws (the compensation of any such individual not to exceed \$50 per day). Funds made available for the purposes of this section may be allotted for any of the purposes of this section to any department, agency, or independent establishment of the Government, or transferred to any other agency requested to assist in carrying out this section. Funds allotted to any department, agency, or independent establishment of the Government shall be available for obligation and expenditure in accordance with the laws governing obligations and expenditures of the department, agency, or independent establishment, or organizational unit thereof concerned, and without regard to sections 3709 and 3648 of the Revised Statutes, as amended (U. S. C., title 41, sec. 5, and title 31, sec. 529).

#### AUTHORIZATION FOR APPROPRIATIONS

Appropriation authorized.

SEC. 9. There is hereby authorized to be appropriated such amounts as may be necessary for purposes of carrying out the provisions of this joint resolution.

Approved December 30, 1947.